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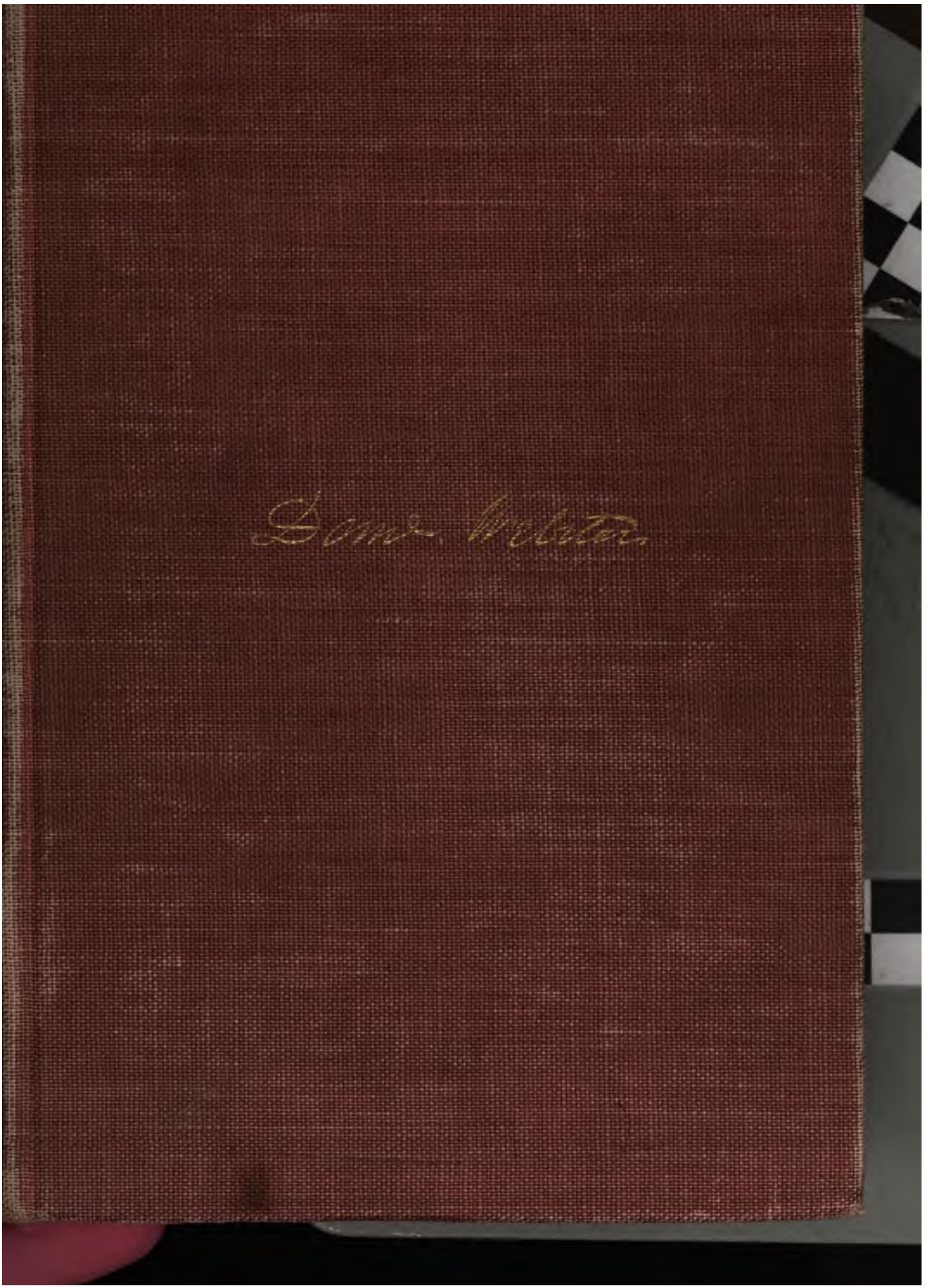

THE
WRITINGS AND SPEECHES
OF
DANIEL WEBSTER

National Edition

VOLUME ONE

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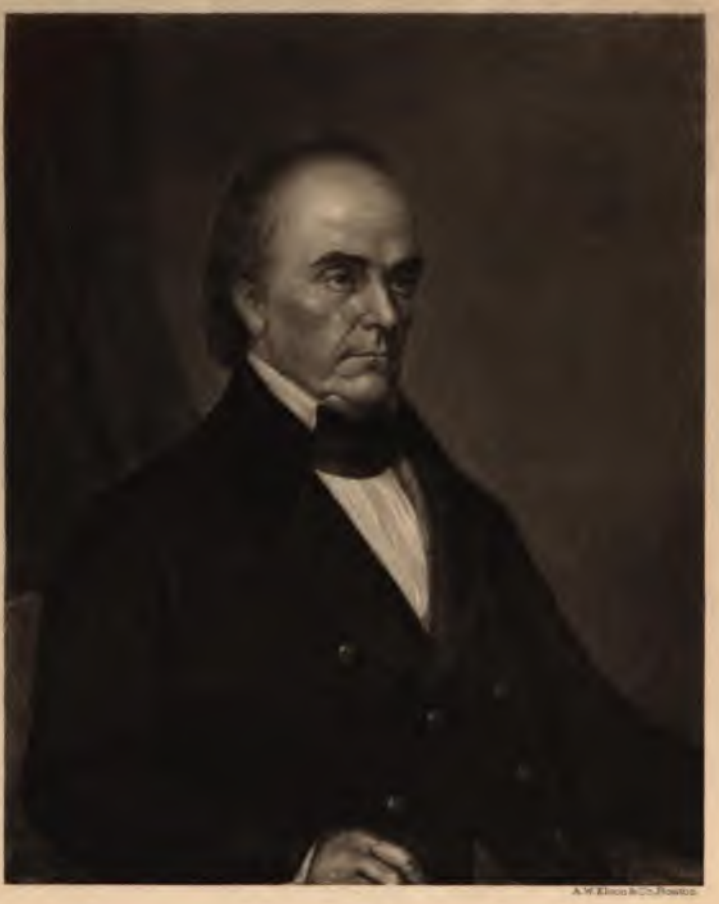

Daniel Webster

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THE WRITINGS AND SPEECHES OF DANIEL WEBSTER

IN EIGHTEEN VOLUMES

VOLUME ONE

The Writings and Speeches of

DANIEL WEBSTER

In Eighteen Volumes · NATIONAL EDITION · Illustrated with Portraits and Plates · VOLUME ONE · MEMOIR, & SPEECHES ON VARIOUS OCCASIONS

BOSTON · LITTLE, BROWN, & COMPANY
NINETEEN HUNDRED AND THREE

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DEDICATION*

TO MY NIECES,

MRS. ALICE BRIDGE WHIPPLE

AND

MRS. MARY ANN SANBORN

MANY of the Speeches contained in this volume were delivered and printed in the lifetime of your father, whose fraternal affection led him to speak of them with approbation.

His death, which happened when he had only just passed the middle period of life, left you without a father, and me without a brother.

I dedicate this volume to you, not only for the love I have for yourselves, but also as a tribute of affection to his memory, and from a desire that the name of my brother,

EZEKIEL WEBSTER,

may be associated with mine, so long as anything written or spoken by me shall be regarded or read.

DANIEL WEBSTER.

* Volume I, Edition of 1851.

101952

Preface to the National Edition

DANIEL WEBSTER, America's greatest statesman and lawyer, and one of the world's greatest orators, born January 18, 1782, passed away on the 24th of October, 1852. More than fifty years have elapsed, and yet the universal sorrow occasioned by his death is not forgotten. "From east to west," said Edward Everett, "and from north to south, a voice of lamentation has gone forth, such as has not echoed through the land since the death of him who was first in war, first in peace, and first in the hearts of his countrymen." "Living and dead he has been," said Robert C. Winthrop, "the theme of the most eloquent orators, of the most faithful and loving biographers, of the most accomplished essayists of our land." On the 12th of October, 1882, the Centennial of Daniel Webster's birth was celebrated at Marshfield in the presence of the President of the United States and other high officials, and on the 24th and 25th of September, 1901, the one hundredth anniversary of his graduation from Dartmouth College was commemorated.

An edition of Mr. Webster's Works, supervised by himself and edited by his friend, Edward Everett, who succeeded him as Secretary of State, was published in 1851.[1] The great amount of material at the disposal of the editor could not possibly be confined within the limits prescribed for that edition, and a number of important speeches were delivered and papers written after it had been put forth. These facts made the 1851 edition, though of great value, necessarily incomplete. A half century having transpired since Mr. Webster's death, reasons for excluding anything of value from a collection of his

[1] See letters to Edward Everett, "Private Correspondence of Daniel Webster," Vol. II., pp. 355–418.

works can hardly be said to exist, and it is desirable that, as far as possible, all his Speeches, Addresses, Legal Arguments, Diplomatic Papers, Letters, and other writings should be gathered together and issued in permanent form. With this view the present edition has been prepared. It is based on the Collected Works, edited by Edward Everett, and the Private Correspondence, edited by Mr. Webster's son. To these are added a third group, Speeches and Writings Hitherto Uncollected, embracing a large amount of important material spoken and written by Mr. Webster during the years 1800 to 1852, which has been buried in manuscripts, newspaper files, congressional records, public documents, and pamphlets, and has heretofore been practically inaccessible. Much of this exists only in the contemporary reports, and was not revised or corrected by Mr. Webster. For this reason it has been deemed advisable to separate the Hitherto Uncollected Speeches and Writings from the Works issued the year before his death. But in order to facilitate reference a chronological list of Mr. Webster's Works and an alphabetical index of subjects will be given in the final volume.

The conflict on slavery which tore asunder the great Whig party, and which destroyed it, belongs to the remote past, and many of those who were opposed to Mr. Webster's course have since paid reverent tribute to his memory and done justice to his patriotism. Nothing of any importance, therefore, that a careful investigation has been able to bring to light, will be withheld from publication.

Mr. Webster, the severest critic of his own work, spoke lightly and disparagingly of his Early Addresses; notwithstanding this, it has been thought desirable to append them to this edition, with the belief that while they cannot detract from his imperishable fame, they furnish — when contrasted with his later and more important productions — valuable illustrations of the remarkable growth of a great man, in thought and expression, and that the time has arrived when all that he wrote should be preserved for reference.

The material embraced in the volumes of Speeches and Writings Hitherto Uncollected is large and important. An

account of the sources from which it has been drawn will be given in the Preface to that portion of the National Edition. In addition to collecting Speeches, Miscellaneous Papers, etc., an effort has been made to bring together in chronological order all the important letters by Mr. Webster which have not previously been printed in the volumes of his Private Correspondence and his Collected Works. This has to a great extent been made possible by the thoughtful care of Mr. Webster's friend, Peter Harvey, who collected and preserved a vast mass of correspondence and papers, now in the New Hampshire Historical Society. From this and other valuable collections, and from various volumes, more than seven hundred letters written by Mr. Webster have been obtained.

The Biographical Memoir, written by Edward Everett and prefixed to the edition of 1851, has been retained in the National Edition. Hon. George F. Hoar has described it as a "masterly portrait by one great statesman and orator of another who was his teacher, leader, and friend." Mr. Everett's son, Hon. William Everett, has added a final chapter, bringing the biography down to Mr. Webster's death. The original notes in the Memoir are indicated by asterisks and daggers, and new notes by figures.

The text of the Collected Works is that of the edition of 1851, but the Index has been carefully revised and corrected, and Mr. Webster's notes for the "Seventh of March Speech" have been inserted.

The great national questions with which Daniel Webster was brought in contact, and the historical occasions made still more memorable by his eloquence, link him forever with the most famous American names. The landing of the Pilgrims, the laying of the corner-stone and the completion of the Bunker Hill Monument, the commemoration of the lives and services of Adams and Jefferson, — these were his fitting themes; he was their chosen orator. Associated in the law with Marshall, Story, Mason, Kent, Wirt, Jeremiah Smith, and Choate, in Congress with Calhoun, Clay, Randolph, Benton, and Hayne, and twice Secretary of State, his career brings before his countrymen their most illustrious leaders, from the American

Revolution almost down to the conflict between the North and South, which he foresaw, and endeavored with all his strength to avert. His Works, therefore, offer an exceptional medium for the introduction of portraits of distinguished public men, embracing every President of the United States, from Washington to Buchanan, and many eminent American statesmen, orators, judges, and lawyers. To these have been added numerous portraits of Mr. Webster and his family, pictures of his birthplace, his New Hampshire and Massachusetts homes, places associated with his education, historical paintings connected with his Addresses, and facsimiles of famous passages in his Works, from the original drafts in his handwriting. In selecting the portraits care has been taken to reproduce them from the best originals which exist; in this as in other matters connected with the preparation of the National Edition, the chief thought has been to make the publication a worthy memorial of Daniel Webster. And, as Edward Everett said, "his noblest monument must be found in his works. There he will live and speak to us and our children when brass and marble have crumbled into dust."

J. W. McIntyre.

Boston, March 2, 1903.

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BIOGRAPHICAL MEMOIR

OF

THE PUBLIC LIFE

OF

DANIEL WEBSTER

BY

EDWARD EVERETT

WITH ADDITIONS BY

WILLIAM EVERETT

BOSTON
LITTLE, BROWN, AND COMPANY
1903

Biographical Memoir of Daniel Webster

Chapter I

Former Editions of Mr. Webster's Works.—Plan of the Edition of 1851.—Parentage and Birth. — First Settlements in the Interior of New Hampshire. — Establishment of his Father at Salisbury. — Scanty Opportunities of Early Education. — First Teachers, and recent Letter to Master Tappan. — Placed at Exeter Academy.—Anecdotes while there. — Dartmouth College. — Study of the Law at Salisbury. — Residence at Fryeburg in Maine, and Occupations there. — Continuance of the Study of the Law at Boston, in the Office of Hon. Christopher Gore. — Admission to the Bar of Suffolk, Massachusetts. — Commencement of Practice at Boscawen, New Hampshire. — Removal to Portsmouth. — Contemporaries in the Profession. — Increasing Practice.

THE first collection of Mr. Webster's speeches in the Congress of the United States and on various public occasions was published in Boston, in one volume, octavo, in 1830. This volume was more than once reprinted, and in 1835 a second volume was published, containing the speeches made up to that time, and not included in the first collection. Several impressions of these two volumes were called for by the public. In 1843 a third volume was prepared, containing a selection from the speeches of Mr. Webster from the year 1835 till his entrance into the cabinet of General Harrison. In the year 1848 appeared a fourth volume of diplomatic papers, containing a portion of Mr. Webster's official correspondence as Secretary of State.

The great favor with which these volumes have been received throughout the country, and the importance of the subjects discussed in the Senate of the United States after Mr. Webster's return to that body in 1845, have led his friends to think that a valuable service would be rendered to the community by bringing together his speeches of a later date than those contained in the third volume of the former collection,

and on political subjects arising since that time. Few periods of our history will be entitled to be remembered by events of greater moment, such as the admission of Texas to the Union, the settlement of the Oregon controversy, the Mexican War, the acquisition of California and other Mexican provinces, and the exciting questions which have grown out of the sudden extension of the territory of the United States. Rarely have public discussions been carried on with greater earnestness, with more important consequences visibly at stake, or with greater ability. The speeches made by Mr. Webster in the Senate, and on public occasions of various kinds, during the progress of these controversies, are more than sufficient to fill two new volumes. The opportunity of their collection has been taken by the enterprising publishers, in compliance with opinions often expressed by the most respectable individuals, and with a manifest public demand, to bring out a new edition of Mr. Webster's speeches in uniform style. Such is the object of the present publication.[1] The first two volumes contain the speeches delivered by him on a great variety of public occasions, commencing with his discourse at Plymouth in December, 1820. Three succeeding volumes embrace the greater part of the speeches delivered in the Massachusetts Convention and in the two Houses of Congress, beginning with the speech on the Bank of the United States in 1816. The sixth volume contains the legal arguments and addresses to the jury, the diplomatic papers, and letters addressed to various persons on important political questions.

The collection does not embrace the entire series of Mr. Webster's writings. Such a series would have required a larger number of volumes than was deemed advisable with reference to the general circulation of the work. A few juvenile performances have accordingly been omitted, as not of sufficient importance or maturity to be included in the collection. Of the earlier speeches in Congress, some were either not reported at all, or in a manner too imperfect to be preserved without doing injustice to the author. No attempt has been made to collect from the contemporaneous newspapers or Congressional registers the short conversational speeches and remarks made by

[1] The edition of 1851.

Mr. Webster, as by other prominent members of Congress, in the progress of debate, and sometimes exercising greater influence on the result than the set speeches. Of the addresses to public meetings it has been found impossible to embrace more than a selection, without swelling the work to an unreasonable size. It is believed, however, that the contents of these volumes furnish a fair specimen of Mr. Webster's opinions and sentiments on all the subjects treated, and of his manner of discussing them. The responsibility of deciding what should be omitted and what included has been left by Mr. Webster to the friends having the charge of the publication, and his own opinion on details of this kind has rarely been taken.

In addition to such introductory notices as were deemed expedient relative to the occasions and subjects of the various speeches, it has been thought advisable that the collection should be accompanied with a Biographical Memoir, presenting a condensed view of Mr. Webster's public career, with a few observations by way of commentary on the principal speeches. Many things which might otherwise fitly be said in such an essay must, it is true, be excluded by that delicacy which qualifies the eulogy to be awarded even to the most eminent living worth. Much may be safely omitted, as too well known to need repetition in this community, though otherwise pertaining to a full survey of Mr. Webster's career. In preparing the following notice, free use has been made by the writer of the biographical sketches already before the public. Justice, however, requires that a specific acknowledgment should be made to an article in the American Quarterly Review for June, 1831, written, with equal accuracy and elegance, by Mr. George Ticknor, and containing a discriminating estimate of the speeches embraced in the first collection; and also to the highly spirited and vigorous work entitled "Reminiscences of Congress," by Mr. Charles W. March. To this work the present sketch is largely indebted for the account of the parentage and early life of Mr. Webster; as well as for a very graphic description of the debate on Foot's resolution.

The family of Daniel Webster has been established in America from a very early period. It was of Scottish origin, but

passed some time in England before the final emigration. Thomas Webster, the remotest ancestor who can be traced, was settled at Hampton, on the coast of New Hampshire, as early as 1636, sixteen years after the landing at Plymouth, and six years from the arrival of Governor Winthrop in Massachusetts Bay. The descent from Thomas Webster to Daniel can be traced in the church and town records of Hampton, Kingston (now East Kingston), and Salisbury. These records and the mouldering headstones of village grave-yards are the herald's office of the fathers of New England. Noah Webster, the learned author of the American Dictionary of the English Language, was of a collateral branch of the family.

Ebenezer Webster, the father of Daniel, is still recollected in Kingston and Salisbury. His personal appearance was striking. He was erect, of athletic stature, six feet high, broad and full in the chest. Long service in the wars had given him a military air and carriage. He belonged to that intrepid border race which lined the whole frontier of the Anglo-American colonies, by turn, farmers, huntsmen, and soldiers, and passing their lives in one long struggle with the hardships of an infant settlement, on the skirts of a primeval forest. Ebenezer Webster enlisted early in life as a common soldier, in one of those formidable companies of rangers, which rendered such important services under Sir Jeffrey Amherst and Wolfe in the Seven Years' War. He followed the former distinguished leader in the invasion of Canada, attracted the attention and gained the good-will of his superior officers by his brave and faithful conduct, and rose to the rank of a captain before the end of the war.

For the first half of the last century the settlements of New Hampshire had made but little progress into the interior. Every war between France and Great Britain in Europe was the signal of an irruption of the Canadian French and their Indian allies into New England. As late as 1755 they sacked villages on the Connecticut River, and John Stark, while hunting on Baker's River, three years before, was taken a prisoner and sold as a slave into Canada. One can scarcely believe that it is not yet a hundred years since occurrences like these took place. The cession of Canada to England by the treaty of 1763 en-

tirely changed this state of things. It opened the pathways of the forest and the gates of the Western hills. The royal governor of New Hampshire, Benning Wentworth, began to make grants of land in the central parts of the State. Colonel Stevens of Kingston, with some of his neighbors, mostly retired officers and soldiers, obtained a grant of the town of Salisbury, which was at first called Stevenstown, from the principal grantee. This town is situated exactly at the point where the Merrimack River is formed by the confluence of the Pemigewasset and Winnipiseogee. Captain Webster was one of the settlers of the newly granted township, and received an allotment in its northerly portion. More adventurous than others of the company, he cut his way deeper into the wilderness, and made the path he could not find. At this time his nearest civilized neighbors on the northwest were at Montreal.

The following allusion of Mr. Webster to his birthplace will be read with interest. It is from a speech delivered before a great public assembly at Saratoga, in the year 1840.

"It did not happen to me to be born in a log cabin; but my elder brothers and sisters were born in a log cabin, raised amid the snow-drifts of New Hampshire, at a period so early that, when the smoke first rose from its rude chimney, and curled over the frozen hills, there was no similar evidence of a white man's habitation between it and the settlements on the rivers of Canada. Its remains still exist. I make to it an annual visit. I carry my children to it to teach them the hardships endured by the generations which have gone before them. I love to dwell on the tender recollections, the kindred ties, the early affections, and the touching narratives and incidents, which mingle with all I know of this primitive family abode. I weep to think that none of those who inhabited it are now among the living; and if ever I am ashamed of it, or if I ever fail in affectionate veneration for HIM who reared and defended it against savage violence and destruction, cherished all the domestic virtues beneath its roof, and, through the fire and blood of seven years' revolutionary war, shrunk from no danger, no toil, no sacrifice, to serve his country, and to raise his children to a condition better than his own, may my name and the name of my posterity be blotted for ever from the memory of mankind!"

Soon after his settlement in Salisbury, the first wife of Ebenezer Webster having deceased, he married Abigail Eastman,

who became the mother of Ezekiel and Daniel Webster, the only sons of the second marriage. Like the mothers of so many men of eminence, she was a woman of more than ordinary intellect, and possessed a force of character which was felt throughout the humble circle in which she moved. She was proud of her sons and ambitious that they should excel. Her anticipations went beyond the narrow sphere in which their lot seemed to be cast, and the distinction attained by both, and especially by the younger, may well be traced in part to her early promptings and judicious guidance.

About the time of his second marriage, Captain Ebenezer Webster erected a frame house hard by the log cabin. He dug a well near it and planted an elm sapling. In this house Daniel Webster was born. It has long since disappeared, but the spot where it stood is well known, and is covered by a house since built. The cellar of the log cabin is still visible, though partly filled with the accumulations of seventy years. "The well still remains," says Mr. March, "with water as pure, as cool, and as limpid as when first brought to light, and will remain in all probability for ages, to refresh hereafter the votaries of genius who make their pilgrimage hither, to visit the cradle of one of her greatest sons. The elm that shaded the boy still flourishes in vigorous leaf, and may have an existence beyond its perishable nature. Like

'The witch-elm that shades St. Fillan's spring,'

it may live in story long after leaf, and branch, and root have disappeared for ever."

The interval between the peace of 1763 and the breaking out of the war of the Revolution was one of excitement and anxiety throughout the Colonies. The great political questions of the day were not only discussed in the towns and cities, but in the villages and hamlets. Captain Webster took a deep interest in those discussions. Like so many of the officers and soldiers of the former war, he obeyed the first call to arms in the new struggle. He commanded a company, chiefly composed of his own townspeople, friends, and kindred, who followed him through the greater portion of the war. He was at the battle of White Plains, and was at West Point when the treason of

Arnold was discovered. He acted as a major under Stark at Bennington, and contributed his share to the success of that eventful day.

In the last year of the Revolutionary War, on the 18th of January, 1782, Daniel Webster was born, in the home which his father had established on the outskirts of civilization. If the character and situation of the place, and the circumstances under which he passed the first years of his life, might seem adverse to the early cultivation of his extraordinary talent, it still cannot be doubted that they possessed influences favorable to elevation and strength of character. The hardships of an infant settlement and border life, the traditions of a long series of Indian wars, and of two mighty national contests, in which an honored parent had borne his part, the anecdotes of Fort William Henry, of Quebec, of Bennington, of West Point, of Wolfe and Stark and Washington, the great Iliad and Odyssey of American Independence, — this was the fireside entertainment of the long winter evenings of the secluded village home. Abroad, the uninviting landscape, the harsh and craggy outline of the hills broken and relieved only by the funereal hemlock and the "cloud seeking" pine, the lowlands traversed in every direction by unbridged streams, the tall, charred trunks in the cornfields, that told how stern had been the struggle with the boundless woods, and, at the close of the year, the dismal scene which presents itself in high latitudes in a thinly settled region, when

> "the snows descend; and, foul and fierce,
> All winter drives along the darkened air";—

these are circumstances to leave an abiding impression on the mind of a thoughtful child, and induce an early maturity of character.

Mr. March has described an incident of Mr. Webster's earliest youth in a manner so graphical, that we are tempted to repeat it in his own words: —

"In Mr. Webster's earliest youth an occurrence of such a nature took place, which affected him deeply at the time, and has dwelt in his memory ever since. There was a sudden and extraordinary rise in the Merrimack River, in a spring thaw. A deluge of rain

for two whole days poured down upon the houses. A mass of mingled water and snow rushed madly from the hills, inundating the fields far and wide. The highways were broken up, and rendered undistinguishable. There was no way for neighbors to interchange visits of condolence or necessity, save by boats, which came up to the very door-steps of the houses.

"Many things of value were swept away, even things of bulk. A large barn, full fifty feet by twenty, crowded with hay and grain, sheep, chickens, and turkeys, sailed majestically down the river, before the eyes of the astonished inhabitants; who, no little frightened, got ready to fly to the mountains, or construct another ark.

"The roar of waters, as they rushed over precipices, casting the foam and spray far above, the crashing of the forest-trees as the storm broke through them, the immense sea everywhere in range of the eye, the sublimity, even danger, of the scene, made an indelible impression upon the mind of the youthful observer.

"Occurrences and scenes like these excite the imaginative faculty, furnish material for proper thought, call into existence new emotions, give decision to character, and a purpose to action." — pp. 7, 8.

It may well be supposed that Mr. Webster's early opportunities for education were very scanty. It is indeed correctly remarked by Mr. Ticknor, in reference to this point, that "in New England, ever since the first free school was established amidst the woods that covered the peninsula of Boston in 1636, the schoolmaster has been found on the border line between savage and civilized life, often indeed with an axe to open his own path, but always looked up to with respect, and always carrying with him a valuable and preponderating influence." Still, however, compared with anything that would be called a good school in this region and at the present time, the schools which existed on the frontier sixty years ago were sadly defective. Many of our district schools even now are below their reputation. The Swedish Chancellor's exclamation of wonder at the little wisdom with which the world is governed, might well be repeated at the little learning and skill with which the scholastic world in too many parts of our country is still taught. In Mr. Webster's boyhood it was much worse. Something that was called a school was kept for two or three months in the winter, frequently by an itinerant, too often a pretender, claim-

ing only to teach a little reading, writing, and ciphering, and wholly incompetent to give any valuable assistance to a clever youth in learning either.

Such as the village school was, Mr. Webster enjoyed its advantages, if they could be called by that name. It was, however, of a migratory character. When it was near his father's residence it was easy to attend; but it was sometimes in a distant part of the town, and sometimes in another town. While he was quite young, he was daily sent two miles and a half or three miles to school in mid-winter and on foot. If the school-house lay in the same direction with the miller or the blacksmith, an occasional ride might be hoped for. If the school was removed to a still greater distance, he was boarded at a neighbor's. Poor as these opportunities of education were, they were bestowed on Mr. Webster more liberally than on his brothers. He showed a greater eagerness for learning; and he was thought of too frail a constitution for any robust pursuit. An older half-brother good-humoredly said that "Dan was sent to school that he might get to know as much as the other boys." It is probable that the best part of his education was derived from the judicious and experienced father, and the strong-minded, affectionate, and ambitious mother.

Mr. Webster's first master was Thomas Chase. He could read tolerably well, and wrote a fair hand; but spelling was not his *forte*. His second master was James Tappan, now living at an advanced age in Gloucester, Massachusetts. His qualifications as a teacher far exceeded those of Master Chase. The worthy veteran, now dignified with the title of Colonel, feels a pride, it may well be supposed, in the fame of his quondam pupil. He lately addressed a letter to him, recounting some of the incidents of his own life since he taught school at Salisbury. This unexpected communication from his aged teacher drew from Mr. Webster the following answer, in which a handsome gratuity was inclosed, more, probably, than the old gentleman ever received for a winter's teaching at "New Salisbury." *

* Fifty dollars. The knowledge of this fact is derived from the "Gloucester News," to which it was no doubt communicated by Master Tappan.

"*Washington, February* 26, 1851.

"MASTER TAPPAN,—I thank you for your letter, and am rejoiced to know that you are among the living. I remember you perfectly well as a teacher of my infant years. I suppose my mother must have taught me to read very early, as I have never been able to recollect the time when I could not read the Bible. I think Master Chase was my earliest schoolmaster, probably when I was three or four years old. Then came Master Tappan. You boarded at our house, and sometimes, I think, in the family of Mr. Benjamin Sanborn, our neighbor, the lame man. Most of those whom you knew in 'New Salisbury' have gone to their graves. Mr. John Sanborn, the son of Benjamin, is yet living, and is about your age. Mr. John Colby, who married my oldest sister, Susannah, is also living. On the 'North Road' is Mr. Benjamin Hunton, and on the 'South Road' is Mr. Benjamin Pettengil. I think of none else among the living whom you would probably remember.

"You have indeed lived a checkered life. I hope you have been able to bear prosperity with meekness, and adversity with patience. These things are all ordered for us far better than we could order them for ourselves. We may pray for our daily bread; we may pray for the forgiveness of sins; we may pray to be kept from temptation, and that the kingdom of God may come, in us, and in all men, and his will everywhere be done. Beyond this, we hardly know for what good to supplicate the Divine Mercy. Our Heavenly Father knoweth what we have need of better than we know ourselves, and we are sure that his eye and his loving-kindness are upon us and around us every moment.

"I thank you again, my good old schoolmaster, for your kind letter, which has awakened many sleeping recollections; and, with all good wishes, I remain your friend and pupil,

"DANIEL WEBSTER.

"MR. JAMES TAPPAN."

He derived, also, no small benefit from the little social library, which, chiefly by the exertions of Mr. Thompson (the intelligent lawyer of the place), the clergyman, and Mr. Webster's father, had been founded in Salisbury. The attention of the people of New Hampshire had been called to this mode of promoting general and popular education by Dr. Belknap. In the patriotic address to the people of New Hampshire, at the close of his excellent History, he says:—

"This (the establishment of social libraries) is the easiest, the cheapest, and the most effectual mode of diffusing knowledge among the people. For the sum of six or eight dollars at once, and a small annual payment besides, a man may be supplied with the means of literary improvement during his life, and his children may inherit the blessing." *

From the village library at Salisbury, founded on recommendations like these, Mr. Webster was able to obtain a moderate supply of good reading. It is quite worth noticing, that his attention, like that of Franklin, was in early boyhood attracted to the Spectator. Franklin, as is well known, studiously formed his style on that of Addison; — and a considerable resemblance may be traced between them. There is no such resemblance between Mr. Webster's style and that of Addison, unless it be the negative merit of freedom from balanced sentences, hard words, and inversions. It may, no doubt, have been partly owing to his early familiarity with the Spectator, that he escaped in youth from the turgidity and pomp of the Johnsonian school, and grew up to the mastery of that direct and forcible, but not harsh and affected sententiousness, that masculine simplicity, with which his speeches and writings are so strongly marked.

The year before Mr. Webster was born was rendered memorable in New Hampshire by the foundation of the Academy at Exeter, through the munificence of the Honorable John Phillips. His original endowment is estimated by Dr. Belknap at nearly ten thousand pounds, which, in the comparative scarcity of money in 1781, cannot be considered as less than three times that amount at the present day. Few events are more likely to be regarded as eras in the history of that State. In the year 1788, Dr. Benjamin Abbot, soon afterwards its principal, became connected with the Academy as an instructor, and from that time it assumed the rank which it still maintains among the schools of the country. To this Academy Mr. Webster was taken by his father in May, 1796. He enjoyed the advantage of only a few months' instruction in this excellent school; but, short as the period was, his mind appears to have received an impulse of a most genial and quickening character. Nothing

* Belknap's History of New Hampshire, Vol. III. p. 328.

could be more graceful or honorable to both parties than the tribute paid by Mr. Webster to his ancient instructor, at the festival at Exeter, in 1838, in honor of Dr. Abbot's jubilee. While at the Academy, his studies were aided and his efforts encouraged by a pupil younger than himself, but who, having enjoyed better advantages of education in boyhood, was now in the senior class at Exeter, the early celebrated and lamented Joseph Stevens Buckminster. The following anecdote from Mr. March's work will not be thought out of place in this connection: —

"It may appear somewhat singular that the greatest orator of modern times should have evinced in his boyhood the strongest antipathy to public declamation. This fact, however, is established by his own words, which have recently appeared in print. 'I believe,' says Mr. Webster, 'I made tolerable progress in most branches which I attended to while in this school; but there was one thing I could not do. I could not make a declamation. I could not speak before the school. The kind and excellent Buckminster sought especially to persuade me to perform the exercise of declamation, like other boys, but I could not do it. Many a piece did I commit to memory, and recite and rehearse in my own room, over and over again; yet when the day came, when the school collected to hear declamations, when my name was called, and I saw all eyes turned to my seat, I could not raise myself from it. Sometimes the instructors frowned, sometimes they smiled. Mr. Buckminster always pressed and entreated, most winningly, that I would venture. But I never could command sufficient resolution.' Such diffidence of its own powers may be natural to genius, nervously fearful of being unable to reach that ideal which it proposes as the only full consummation of its wishes. It is fortunate, however, for the age, fortunate for all ages, that Mr. Webster by determined will and frequent trial overcame this moral incapacity, as his great prototype, the Grecian orator, subdued his physical defect." — pp. 12, 13.

The effect produced, even at that early period of Mr. Webster's life, on the mind of a close observer of his mental powers, is strikingly illustrated by the following anecdote. Mr. Nicholas Emery, afterwards a distinguished lawyer and judge, and now living in Portland, was temporarily employed, at that time, as an usher in the Academy. On entering the Acad-

emy, Mr. Webster was placed in the lowest class, which consisted of half a dozen boys, of no remarkable brightness of intellect. Mr. Emery was the instructor of this class, among others. At the end of a month, after morning recitations, "Webster," said Mr. Emery, "you will pass into the other room and join a higher class;" and added, "Boys, you will take your final leave of Webster, you will never see him again."[1]

After a few months well spent at Exeter, Mr. Webster returned home, and in February, 1797, was placed by his father under the Rev. Samuel Wood, the minister of the neighboring town of Boscawen. He lived in Mr. Wood's family, and for board and instruction the entire charge was one dollar per week.

On their way to Mr. Wood's, Mr. Webster's father first opened to his son, now fifteen years old, the design of sending him to college, the thought of which had never before entered his mind. The advantages of a college education were a privilege to which he had never aspired in his most ambitious dreams. "I remember," says Mr. Webster, in an autobiographical memorandum of his boyhood, "the very hill which we were ascending, through deep snows, in a New England sleigh, when my father made known this purpose to me. I could not speak. How could he, I thought, with so large a family and in such narrow circumstances, think of incurring so great an expense for me. A warm glow ran all over me, and I laid my head on my father's shoulder and wept."

In truth, a college education was a far different affair fifty years ago from what it has since become, by the multiplication of collegiate institutions, and the establishment of public funds in aid of those who need assistance. It constituted a person at once a member of an intellectual aristocracy. In many cases it really conferred qualifications, and in all was supposed to do so, without which professional and public life could not be entered upon with any hope of success. In New England, at that time, it was not a common occurrence that any one attained a respectable position in either of the professions without this advantage. In selecting the member of the family who should enjoy this privilege, the choice not unfrequently fell

[1] See, on this anecdote, Life by G. T. Curtis, I. 19. — [W. E.]

upon the son whose slender frame and early indications of disease unfitted him for the laborious life of our New England yeomanry.

From February till August, 1797, Mr. Webster remained under the instruction of Mr. Wood, at Boscawen, and completed his preparation for college. It is hardly necessary to say, that the preparation was imperfect. There is probably no period in the history of the country at which the standard of classical literature stood lower than it did at the close of the last century. The knowledge of Greek and Latin brought by our forefathers from England had almost run out in the lapse of nearly two centuries, and the signal revival which has taken place within the last thirty years had not yet begun. Still, however, when we hear of a youth of fifteen preparing himself for college by a year's study of Greek and Latin, we must recollect that the attainments which may be made in that time by a young man of distinguished talent, at the period of life when the faculties develop themselves with the greatest energy, studying night and day, summer and winter, under the master influence of hope, ambition, and necessity, are not to be measured by the tardy progress of the thoughtless or languid children of prosperity, sent to school from the time they are able to go alone, and carried along by routine and discipline from year to year, in the majority of cases without strong personal motives to diligence. Besides this, it is to be considered that the studies which occupy this usually prolonged novitiate are those which are required for the acquisition of grammatical and metrical niceties, the elegancies and the luxuries of scholarship. Short as was his period of preparation, it enabled Mr. Webster to lay the foundation of a knowledge of the classical writers, especially the Latin, which was greatly increased in college, and which has been kept up by constant recurrence to the great models of antiquity, during the busiest periods of active life. The happiness of Mr. Webster's occasional citations from the Latin classics is a striking feature of his oratory.

Mr. Webster entered college in 1797, and passed the four academic years in assiduous study. He was not only distinguished for his attention to the prescribed studies, but devoted

himself to general reading, especially to English history and literature. He took part in the publication of a little weekly newspaper, furnishing selections from books and magazines, with an occasional article from his own pen. He delivered addresses, also, before the college societies, some of which were published. The winter vacations brought no relaxation. Like those of so many of the meritorious students at our places of education, they were employed in teaching school, for the purpose of eking out his own frugal means and aiding his brother to prepare himself for college. The attachment between the two brothers was of the most affectionate kind, and it was by the persuasion of Daniel that the father had been induced to extend to Ezekiel also the benefits of a college education.

The genial and companionable spirit of Mr. Webster is still remembered by his classmates, and by the close of his first college year he had given proof of powers and aspirations which placed him far above rivalry among his associates. "It is known," says Mr. Ticknor, "in many ways, that, by those who were acquainted with him at this period of life, he was already regarded as a marked man, and that to the more sagacious of them the honors of his subsequent career have not been unexpected."

Mr. Webster completed his college course in August, 1801, and immediately entered the office of Mr. Thompson, the next-door neighbor of his father, as a student of law. Mr. Thompson was a gentleman of education and intelligence, and, at a later period, a respectable member, successively, of the House of Representatives and Senate of the United States. He maintained a high character till his death. Mr. Webster remained in his office as a student till, in the words of Mr. March, "he felt it necessary to go somewhere and do something to earn a little money." In this emergency, application was made to him to take charge of an academy at Fryeburg in Maine, upon a salary of about one dollar *per diem*, being what is now paid for the coarsest kind of unskilled manual labor. As he was able, besides, to earn enough to pay for his board and to defray his other expenses by acting as assistant to the register of deeds for the county, his salary was all saved, — a

fund for his own professional education and to help his brother through college.[1]

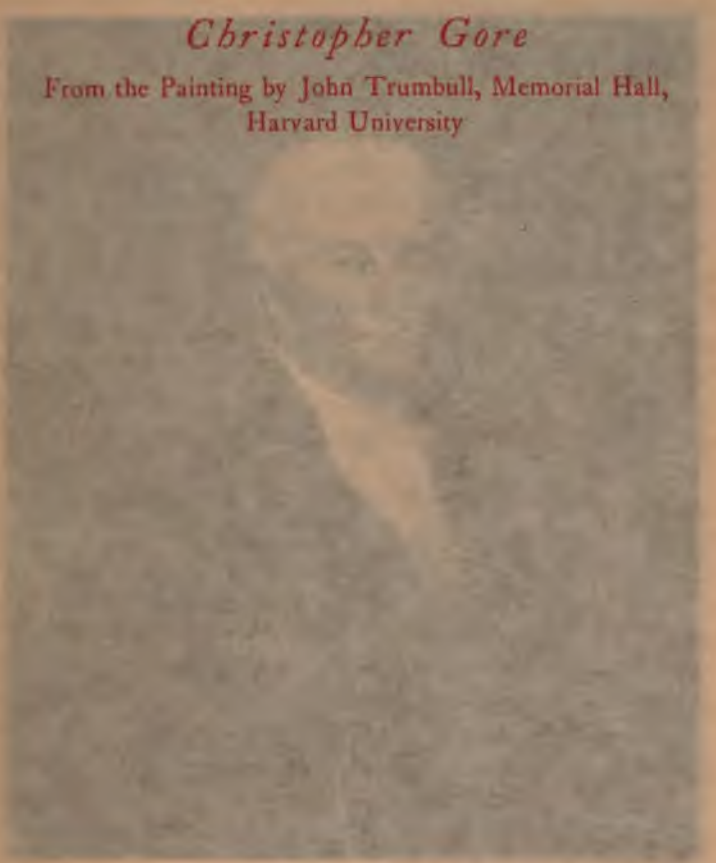
Mr. Webster's son and one of his friends have lately visited Fryeburg and examined these records of deeds. They are still preserved in two huge folio volumes, in Mr. Webster's handwriting, exciting wonder how so much work could be done in the evening, after days of close confinement to the business of the school. They looked also at the records of the trustees of the academy and found in them a most respectful and affectionate vote of thanks and good-will to Mr. Webster when he took leave of the employment.*

These humble details need no apology. They relate to trials, hardships, and efforts which constitute no small part of the discipline by which a great character is formed. During his residence at Fryeburg, Mr. Webster borrowed (he was too poor to buy) Blackstone's Commentaries, and read them for the first time. "Among other mental exercises," says Mr. March, "he committed to memory Mr. Ames's celebrated speech on the British treaty." In after life he has been heard to say, that few things moved him more than the perusal and reperusal of this celebrated speech.

In September, 1802, Mr. Webster returned to Salisbury, and resumed his studies under Mr. Thompson, in whose office he remained for eighteen months. Mr. Thompson, though, as we have said, a person of excellent character and a good lawyer, yet seems not to have kept pace in his profession with the progress of improvement. Although Blackstone's Commentaries had been known in this country for a full generation, Mr. Thompson still directed the reading of his pupils on the principle of the hardest book first. Coke's Littleton was still the work with which his students were broken into the study of the profession. Mr. Webster has condemned this practice. "A boy of twenty," says he, "with no previous knowledge of

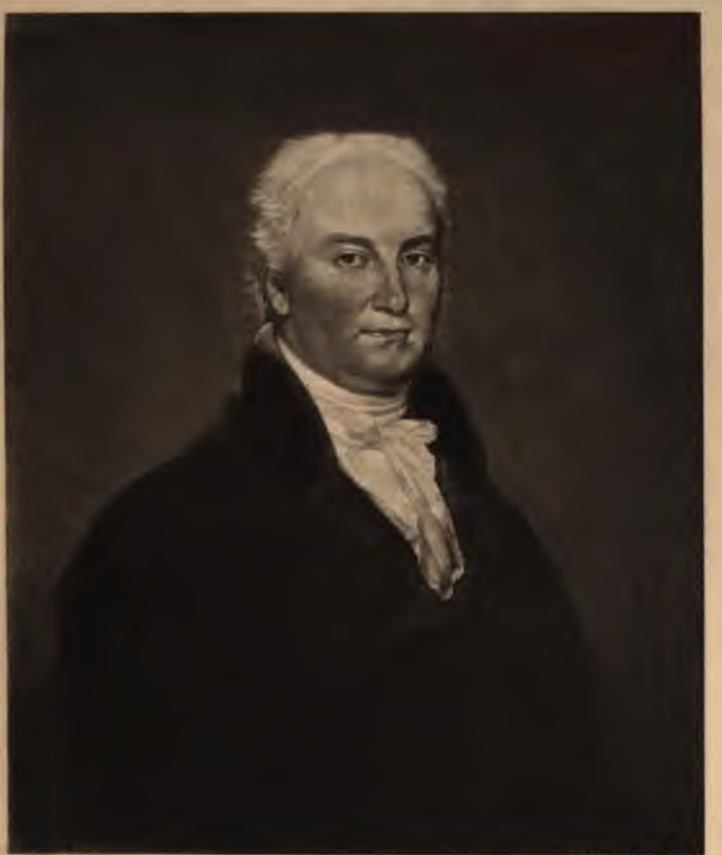
[1] It is recorded that on the 4th of July Mr. Webster addressed the citizens of Fryeburg, receiving five dollars as a fee.—[W. E.]

* The old school-house was burned down many years ago. The spot on which it stood belongs to Mr. Robert J. Bradley, who has inherited from his father a devoted friendship for Mr. Webster, and who would never suffer any other building to be erected on the spot, and says that none shall be during his life.



Christopher Gore

From the Painting by John Trumbull, Memorial Hall, Harvard University



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such subjects, cannot understand Coke. It is folly to set him upon such an author. There are propositions in Coke so abstract, and distinctions so nice, and doctrines embracing so many distinctions and qualifications, that it requires an effort not only of a mature mind, but of a mind both strong and mature, to understand him. Why disgust and discourage a young man by telling him he must break into his profession through such a wall as this?" Acting upon these views, even in his youth, Mr. Webster gave his attention to more intelligible authors, and to titles of law of greater importance in this country than the curious learning of tenures, many of which are antiquated, even in England. He also gave a good deal of time to general reading, and especially the study of the Latin classics, English history, and the volumes of Shakespeare. In order to obtain a wider compass of knowledge, and to learn something of the language not to be gained from the classics, he read through attentively Puffendorff's Latin History of England.

In July, 1804, he took up his residence in Boston. Before entering upon the practice of his profession, he enjoyed the advantage of pursuing his legal studies for six or eight months in the office of the Hon. Christopher Gore. This was a fortunate event for Mr. Webster. Mr. Gore, afterwards Governor of Massachusetts, was a lawyer of eminence, a statesman and a civilian, a gentleman of the old school of manners, and a rare example of distinguished intellectual qualities, united with practical good sense and judgment. He had passed several years in England as a commissioner, under Jay's treaty, for liquidating the claims of citizens of the United States for seizures by British cruisers in the early wars of the French Revolution. His library, amply furnished with works of professional and general literature, his large experience of men and things at home and abroad, and his uncommon amenity of temper, combined to make the period passed by Mr. Webster in his office one of the pleasantest in his life. These advantages, it hardly need be said, were not thrown away. He diligently attended the sessions of the courts and reported their decisions. He read with care the leading elementary works of the common and municipal law, with the best authors on the law of nations,

some of them for a second and third time; diversifying these professional studies with a great amount and variety of general reading. His chief study, however, was the common law, and more especially that part of it which relates to the now unfashionable science of special pleading. He regarded this, not only as a most refined and ingenious, but a highly instructive and useful branch of the law. Besides mastering all that could be derived from more obvious sources, he waded through Saunders's Reports in the original edition, and abstracted and translated into English from the Latin and Norman French all the pleadings contained in the two folio volumes. This manuscript still remains.

Just as he was about to be admitted to practise in the Suffolk Court of Common Pleas in Massachusetts, an incident occurred which came near affecting his career for life. The place of clerk in the Court of Common Pleas for the county of Hillsborough, in New Hampshire, became vacant. Of this court Mr. Webster's father had been made one of the judges, in conformity with a very common practice at that time, of placing on the side bench of the lower courts men of intelligence and respectability, though not lawyers. From regard to Judge Webster, the vacant clerkship was offered by his colleagues to his son. It was what the father had for some time looked forward to and desired. The fees of the office were about fifteen hundred dollars *per annum*, which in those days and in that region was not so much a competence as a fortune. Mr. Webster himself was disposed to accept the office. It promised an immediate provision in lieu of a distant and doubtful prospect. It enabled him at once to bring comfort into his father's family, while to refuse it was to condemn himself and them to an uncertain and probably harassing future. He was willing to sacrifice his hopes of professional eminence to the welfare of those whom he held most dear. But the earnest dissuasions of Mr. Gore, who saw in this step the certain postponement, perhaps the final defeat, of all hopes of professional advancement, prevented his accepting the office. His aged father was, in a personal interview with his son, if not reconciled to the refusal, at least induced to bury his regrets in his own bosom. The subject was never mentioned by him again. In the spring of the

same year (1805), Mr. Webster was admitted to the practice of the law in the Court of Common Pleas for Suffolk County, Boston. According to the custom of that day, Mr. Gore accompanied the motion for his admission with a brief speech in recommendation of the candidate. The remarks of Mr. Gore on this occasion are well remembered by those present. He dwelt with emphasis on the remarkable attainments and uncommon promise of his pupil, and closed with a prediction of his future eminence.

Immediately on his admission to the bar, Mr. Webster went to Amherst, in New Hampshire, where his father's court was in session; from that place he went home with his father. He had intended to establish himself at Portsmouth, which, as the largest town and the seat of the foreign commerce of the State, opened the widest field for practice. But filial duty kept him nearer home. His father was now infirm from the advance of years, and had no other son at home. Under these circumstances Mr. Webster opened an office at Boscawen, not far from his father's residence, and commenced the practice of the law in this retired spot. Judge Webster lived but a year after his son's entrance upon the practice of his profession; long enough, however, to hear his first argument in court, and to be gratified with the confident predictions of his future success.

In May, 1807, Mr. Webster was admitted as an attorney and counsellor of the Superior Court in New Hampshire, and in September of that year, relinquishing his office in Boscawen to his brother Ezekiel, he removed to Portsmouth, in conformity with his original intention. Here he remained in the practice of his profession for nine successive years. They were years of assiduous labor, and of unremitted devotion to the study and practice of the law. He was associated with several persons of great eminence, citizens of New Hampshire or of Massachusetts occasionally practising at the Portsmouth bar. Among the latter were Samuel Dexter and Joseph Story; of the residents of New Hampshire, Jeremiah Mason was the most distinguished. Often opposed to each other as lawyers, a strong personal friendship grew up between them, which ended only with the death of Mr. Mason. Mr. Webster's eulogy on Mr.

Mason will be found in one of the volumes of this collection, and will descend to posterity an enduring monument of both. Had a more active temperament led Mr. Mason to embark earlier and continue longer in public life, he would have achieved a distinction shared by few of his contemporaries. Mr. Webster, in the lapse of time, was called to perform the same melancholy office for Judge Story.

During the greater part of Mr. Webster's practice of the law in New Hampshire, Jeremiah Smith was Chief Justice of the State, a learned and excellent judge, whose biography has been written by the Rev. John H. Morison, and will well repay perusal. Judge Smith was an early and warm friend of Judge Webster, and this friendship descended to the son, and glowed in his breast with fervor till he went to his grave.

Although dividing with Mr. Mason the best of the business of Portsmouth, and indeed of all the eastern portion of the State, Mr. Webster's practice was mostly on the circuit. He followed the Superior Court through the principal counties of the State, and was retained in nearly every important cause. It is mentioned by Mr. March, as a somewhat singular fact in his professional life, that, with the exception of the occasions on which he has been associated with the Attorney-General of the United States for the time being, he has hardly appeared ten times as junior counsel. Within the sphere in which he was placed, he may be said to have risen at once to the head of his profession; not, however, like Erskine and some other celebrated British lawyers, by one and the same bound, at once to fame and fortune. The American bar holds forth no such golden prizes, certainly not in the smaller States. Mr. Webster's practice in New Hampshire, though probably as good as that of any of his contemporaries, was never lucrative. Clients were not very rich, nor the concerns litigated such as would carry heavy fees. Although exclusively devoted to his profession, it afforded him no more than a bare livelihood.

But the time for which he practised at the New Hampshire bar was probably not lost with reference to his future professional and political eminence. His own standard of legal attainment was high. He was associated with professional brethren fully competent to put his powers to their best proof, and to prevent

him from settling down in early life into an easy routine of ordinary professional practice. It was no disadvantage, under these circumstances (except in reference to immediate pecuniary benefit), to enjoy some portion of that leisure for general reading which is almost wholly denied to the lawyer of commanding talents, who steps immediately into full practice in a large city.

Chapter II

Entrance on Public Life. — State of Parties in 1812. — Election to Congress. — Extra Session of 1813. — Foreign Relations of the Country. — Resolutions relative to the Berlin and Milan Decrees. — Naval Defence. — Re-elected to Congress in 1814. — Peace with England. — Projects for a National Bank. — Mr. Webster's Course on that Question. — Battle of New Orleans. — New Questions arising on the Return of Peace. — Course of Prominent Men of Different Parties. — Mr. Webster's Opinions on the Constitutionality of the Tariff Policy. — The Resolution to restore Specie Payments moved by Mr. Webster. — Removal to Boston.

Mr. Webster had hitherto taken less interest in politics than has been usual with the young men of talent, at least with the young lawyers, of America. In fact, at the time to which the preceding narrative refers, the politics of the country were in such a state, that there was scarce any course which could be pursued with entire satisfaction by a patriotic young man sagacious enough to penetrate behind mere party names, and to view public questions in their true light. Party spirit ran high; errors had been committed by ardent men on both sides; and extreme opinions had been advanced on most questions, which no wise and well-informed person at the present day would probably be willing to espouse. The United States, although not actually drawn to any great depth into the vortex of the French Revolution, were powerfully affected by it. The deadly struggle of the two great European belligerents, in which the neutral rights of this country were grossly violated by both, gave a complexion to our domestic politics. A change of administration, mainly resulting from difference of opinion in respect to our foreign relations, had taken place in 1801. If we may consider President Jefferson's inaugural address as the indication of the principles on which he intended to conduct his administration, it was his purpose to take a new departure, and to disregard the former party divisions. "We have," said he, in that eloquent state paper, "called by different names brethren of the same principle. We are all republicans, we are all federalists."

At the time these significant expressions were uttered, Mr. Webster, at the age of nineteen, was just leaving college and preparing to embark on the voyage of life. A sentiment so liberal was not only in accordance with the generous temper of youth, but highly congenial with the spirit of enlarged patriotism which has ever guided his public course. There is certainly no individual who has filled a prominent place in our political history who has shown himself more devoted to principle and less to party. While no man has clung with greater tenacity to the friendships which spring from agreement in political opinion (the *idem sentire de republica*), no man has been less disposed to find in these associations an instrument of monopoly or exclusion in favor of individuals, interests, or sections of the country.

But however catholic may have been the intentions and wishes of Mr. Jefferson, events both at home and abroad were too strong for him, and defeated that policy of blending the great parties into one, which has always been a favorite, perhaps we must add, a visionary project, with statesmen of elevated and generous characters. The aggressions of the belligerents on our neutral commerce still continued, and, by the joint effect of the Berlin and Milan Decrees, and the Orders in Council, it was all but swept from the ocean. In this state of things two courses were open to the United States, as a growing neutral power: one, that of prompt resistance to the aggressive policy of the belligerents; the other, that which was called "the restrictive system," which consisted in an embargo on our own vessels, with a view to withdraw them from the grasp of foreign cruisers, and in laws inhibiting commercial intercourse with England and France. There was a division of opinion in the cabinet of Mr. Jefferson and in the country at large. The latter policy was finally adopted. It fell in with the general views of Mr. Jefferson against committing the country to the risks of foreign war. His administration was also strongly pledged to retrenchment and economy, in the pursuit of which a portion of our little navy had been brought to the hammer, and a species of shore defence substituted, which can now be thought of only with mortification and astonishment.

Although the discipline of party was sufficiently strong to

cause this system of measures to be adopted and pursued for years, it was never cordially approved by the people of the United States of any party. Leading Republicans both at the South and at the North denounced it. With Mr. Jefferson's retirement from office it fell rapidly into disrepute. It continued, however, to form the basis of our party divisions till the War of 1812. In these divisions, as has been intimated, both parties were in a false position; the one supporting and forcing upon the country a system of measures not cordially approved, even by themselves; the other, a powerless minority, zealously opposing those measures, but liable for that reason to be thought backward in asserting the neutral rights of the country. A few men of well-balanced minds, true patriotism, and sound statesmanship, in all sections of the country, were able to unite fidelity to their party associations with a comprehensive view to the good of the country. Among these, mature beyond his years, was Mr. Webster. As early as 1806 he had, in a public oration, presented an impartial view of the foreign relations of the country in reference to both belligerents, of the importance of our commercial interests and the duty of protecting them. "Nothing is plainer," said he, "than this: if we will have commerce, we must protect it. This country is commercial as well as agricultural. Indissoluble bonds connect him who ploughs the land with him who ploughs the sea. Nature has placed us in a situation favorable to commercial pursuits, and no government can alter the destination. Habits confirmed by two centuries are not to be changed. An immense portion of our property is on the waves. Sixty or eighty thousand of our most useful citizens are there, and are entitled to such protection from the government as their case requires."

At length the foreign belligerents themselves perceived the folly and injustice of their measures. In the strife which should inflict the greatest injury on the other, they had paralyzed the commerce of the world and embittered the minds of all the neutral powers. The Berlin and Milan Decrees were revoked, but in a manner so unsatisfactory as in a great degree to impair the pacific tendency of the measure. The Orders in Council were also rescinded in the summer of 1812. War, however, justly provoked by each and both of the parties,

had meantime been declared by Congress against England, and active hostilities had been commenced on the frontier. At the elections next ensuing, Mr. Webster was brought forward as a candidate for Congress of the Federal party of that day, and, having been chosen in the month of November, 1812, he took his seat at the first session of the Thirteenth Congress, which was an extra session called in May, 1813. Although his course of life hitherto had been in what may be called a provincial sphere, and he had never been a member even of the legislature of his native State, a presentiment of his ability seems to have gone before him to Washington. He was, in the organization of the House, placed by Mr. Clay, its Speaker, upon the Committee of Foreign Affairs, a select committee at that time, and of necessity the leading committee in a state of war.

There were many men of uncommon ability in the Thirteenth Congress. Rarely has so much talent been found at any one time in the House of Representatives. It contained Clay, Calhoun, Lowndes, Pickering, Gaston, Forsyth, in the front rank; Macon, Benson, J. W. Taylor, Oakley, Grundy, Grosvenor, W. R. King, Kent of Maryland, C. J. Ingersoll of Pennsylvania, Pitkin of Connecticut, and others of scarcely inferior note. Although among the youngest and least experienced members of the body, Mr. Webster rose, from the first, to a position of undisputed equality with the most distinguished. The times were critical. The immediate business to be attended to was the financial and military conduct of the war, a subject of difficulty and importance. The position of Mr. Webster was not such as to require or permit him to take a lead; but it was his steady aim, without the sacrifice of his principles, to pursue such a course as would tend most effectually to extricate the country from the embarrassments of her present position, and to lead to peace upon honorable terms.

As the repeal of the Orders in Council was nearly simultaneous with the declaration of war, the delay of a few weeks might have led to an amicable adjustment. Whatever regret on the score of humanity this circumstance may now inspire, the war must be looked upon, in reviewing the past, as a great chapter in the progress of the country, which could not be passed over. When we reflect on the influence of the conflict,

in its general results, upon the national character; its importance as a demonstration to the belligerent powers of the world that the rights of neutrals must be respected; and more especially, when we consider the position among the nations of the earth which the United States have been enabled to take, in consequence of the capacity for naval achievement which the war displayed, we shall readily acknowledge it to be a part of that great training by which the country was prepared to take the station which she now occupies.

Mr. Webster was not a member of Congress when war was declared, nor in any other public station. He was too deeply read in the law of nations, and regarded that august code with too much respect, not to contemplate with indignation its infraction by both the belligerents. With respect to the Orders in Council, the highest judicial magistrate in England (Lord Chief Justice Campbell) has lately admitted that they were contrary to the law of nations.* As little doubt can exist that the French decrees were equally at variance with the public law. But however strong his convictions of this truth, Mr. Webster's sagacity and practical sense pointed out the inadequacy, and what may be called the political irrelevancy, of the restrictive system, as a measure of defence or retaliation. He could not but feel that it was a policy which tended at once to cripple the national resources, and abase the public sentiment, with an effect upon the foreign powers doubtful and at best indirect. In the state of the military resources of the country at that time, he discerned, in common with many independent men of all parties, that less was to be hoped from the attempted conquest of foreign territory, than from a gallant assault upon the fancied supremacy of the enemy at sea. It is unnecessary to state, that the whole course of the war confirmed the justice of these views. They furnish the key to Mr. Webster's course in the Thirteenth Congress.

Early in the session, he moved a series of resolutions of inquiry, relative to the repeal of the Berlin and Milan Decrees. The object of these resolutions was to elicit a communication on this subject from the executive, which would unfold the proximate causes of the war, as far as they were to be sought in those famous Decrees, and in the Orders in Council. On the

* Lives of the Chancellors, Vol. VII. p. 218; see also p. 301.

10th of June, 1813, Mr. Webster delivered his maiden speech on these resolutions. No full report of this speech has been preserved. It is known only from extremely imperfect sketches, contained in the contemporaneous newspaper accounts of the proceedings of Congress, from the recollection of those who heard it, and from general tradition. It was a calm and statesmanlike exposition of the objects of the resolutions; and was listened to with profound attention by the House. It was marked by all the characteristics of Mr. Webster's maturest parliamentary efforts, — moderation of tone, precision of statement, force of reasoning, absence of ambitious rhetoric and high-flown language, occasional bursts of true eloquence, and, pervading the whole, a genuine and fervid patriotism. We have reason to believe that its effect upon the House is accurately described in the following extract from Mr. March's work.

"The speech took the House by surprise, not so much from its eloquence as from the vast amount of historical knowledge and illustrative ability displayed in it. How a person, untrained to forensic contests and unused to public affairs, could exhibit so much parliamentary tact, such nice appreciation of the difficulties of a difficult question, and such quiet facility in surmounting them, puzzled the mind. The age and inexperience of the speaker had prepared the House for no such display, and astonishment for a time subdued the expression of its admiration.

"'No member before,' says a person then in the House, 'ever riveted the attention of the House so closely, in his first speech. Members left their seats, where they could not see the speaker face to face, and sat down, or stood on the floor, fronting him. All listened attentively and silently, during the whole speech; and when it was over, many went up and warmly congratulated the orator; among whom were some, not the most niggard of their compliments, who most dissented from the views he had expressed.'

"Chief Justice Marshall, writing to a friend some time after this speech, says: 'At the time when this speech was delivered, I did not know Mr. Webster, but I was so much struck with it, that I did not hesitate then to state, that Mr. Webster was a very able man, and would become one of the very first statesmen in America, and perhaps the very first.'"— pp. 35, 36.*

* The friend to whom the letter referred to by Mr. March was written, was Mr. Justice Story, who adds: "Such praise from such a man ought

The resolutions moved by Mr. Webster prevailed by a large majority, and drew forth from Mr. Monroe, then Secretary of State, an elaborate and instructive report upon the subject to which they referred.

We have already observed, that, as early as 1806, Mr. Webster had expressed himself in favor of the protection of our commerce against the aggressions of both the belligerents. Some years later, before the war was declared, but when it was visibly impending, he had put forth some vigorous articles to the same effect. In an oration delivered in 1812, he had said:

"A navy sufficient for the defence of our coasts and harbors, for the convoy of important branches of our trade, and sufficient also to give our enemies to understand, when they injure us, that *they* too are vulnerable, and that we have the power of retaliation as well as of defence, seems to be the plain, necessary, indispensable policy of the nation. It is the dictate of nature and common sense, that means of defence shall have relation to the danger." In accordance with these views, first announced by Mr. Webster a considerable time before Hull, Decatur, and Bainbridge had broken the spell of British naval supremacy, he used the following language in his speech on encouraging enlistments in 1814:—

"The humble aid which it would be in my power to render measures of government shall be given cheerfully, if government will pursue measures which I can conscientiously support. If even now, failing in an honest and sincere attempt to procure an honorable peace, it will return to measures of defence and protection, such as reason and common sense and the public opinion all call for, my vote shall not be withholden from the means. Give up your futile projects of invasion. Extinguish the fires which blaze on your inland frontiers. Establish perfect safety and defence there by adequate force. Let every man that sleeps on your soil sleep in security. Stop the blood that flows from the veins of unarmed yeomanry, and women and children. Give to the living time to bury and lament their dead, in the quietness of private sorrow. Having performed this work of beneficence and mercy on your

to be very gratifying. Consider that he is now seventy-five years old, and that he speaks of his recollections of some eighteen years ago with a freshness which shows how deeply your reasoning impressed itself upon his mind. Keep this *in memoriam rei*."

inland border, turn and look with the eye of justice and compassion on your vast population along the coast. Unclench the iron grasp of your embargo. Take measures for that end before another sun sets upon you. With all the war of the enemy on your commerce, if you would cease to make war upon it yourselves, you would still have some commerce. That commerce would give you some revenue. Apply that revenue to the augmentation of your navy. That navy in turn will protect your commerce. Let it no longer be said, that not one ship of force, built by your hands since the war, yet floats upon the ocean. Turn the current of your efforts into the channel which national sentiment has already worn broad and deep to receive it. A naval force competent to defend your coasts against considerable armaments, to convoy your trade, and perhaps raise the blockade of your rivers, is not a chimera. It may be realized. If then the war must continue, go to the ocean. If you are seriously contending for maritime rights, go to the theatre where alone those rights can be defended. Thither every indication of your fortune points you. There the united wishes and exertions of the nation will go with you. Even our party divisions, acrimonious as they are, cease at the water's edge. They are lost in attachment to the national character, on the element where that character is made respectable. In protecting naval interests by naval means, you will arm yourselves with the whole power of national sentiment, and may command the whole abundance of the national resources. In time you may be able to redress injuries in the place where they may be offered; and, if need be, to accompany your own flag throughout the world with the protection of your own cannon."

The principal subjects on which Mr. Webster addressed the House during the Thirteenth Congress were his own resolutions, the increase of the navy, the repeal of the embargo, and an appeal from the decision of the chair on a motion for the previous question. His speeches on those questions raised him to the front rank of debaters. He manifested upon his entrance into public life that variety of knowledge, familiarity with the history and traditions of the government, and self-possession on the floor, which in most cases are acquired by time and long experience. They gained for him the reputation indicated by the well-known remark of Mr. Lowndes, that "the North had not his equal, nor the South his superior." It was not the

least conspicuous of the strongly marked qualities of his character as a public man, disclosed at this early period, and uniformly preserved throughout his career, that, at a time when party spirit went to great lengths, he never permitted himself to be infected with its contagion. His opinions were firmly maintained and boldly expressed; but without bitterness toward those who differed from him. He cultivated friendly relations on both sides of the House, and gained the personal respect even of those with whom he most differed.

In August, 1814, Mr. Webster was re-elected to Congress. The treaty of Ghent, as is well known, was signed in December, 1814, and the prospect of peace, universally welcomed by the country, opened on the Thirteenth Congress toward the close of its third session. Earlier in the season a project for a Bank of the United States was introduced into the House of Representatives on the recommendation of Mr. Dallas, Secretary of the Treasury. The charter of the first incorporated bank of the United States had expired in 1811. No general complaints of mismanagement or abuse had been raised against this institution; but the opinions entertained by what has been called the "Virginia School" of politicians, against the constitutionality of a national bank, prevented the renewal of the charter. The want of such an institution was severely felt in the War of 1812, although it is probable that the amount of assistance which it could have afforded the financial operations of the Government was greatly overrated. Be this as it may, both the Treasury Department and Congress were now strongly disposed to create a bank. Its capital was to consist of forty-five millions of the public stocks and five millions of specie, and it was to be under obligation to lend the Government thirty millions of dollars on demand. To enable it to exist under these conditions, it was relieved from the necessity of redeeming its notes in specie. In other words, it was an arrangement for the issue of an irredeemable paper currency. It was opposed mainly on this ground by Mr. Calhoun, Mr. Webster, Mr. Lowndes, and others of the ablest men on both sides of the House, as a project not only unsound in its principles, but sure to increase the derangement of the currency already existing. The speech of Mr. Webster against the bill will be found in one of these volumes, and it

will be generally admitted to display a mastery of the somewhat difficult subjects of banking and finance, rarely to be found in the debates in Congress. The project was supported as an administration measure, but the leading members from South Carolina and their friends united with the regular opposition against it, and it was lost by the casting vote of the Speaker, Mr. Cheves. It was revived by reconsideration, on motion of Mr. Webster, and such amendments introduced that it passed the House by a large majority. It was carried through the Senate in this amended form with difficulty, but it was negatived by Mr. Madison, being one of the two cases in which he exercised the veto power during his eight years' administration.

On the 8th of January of the year 1815, the victory at New Orleans was gained by General Jackson. No occurrence on land, in the course of the war, was of equal immediate interest, or destined to have so abiding an influence on the future. Besides averting the indescribable calamity of the sack of a populous and flourishing city, it showed the immense military power of the volunteer force of the country, when commanded with energy and skill. The praises of General Jackson were on every tongue throughout the land, and Congress responded to the grateful feelings of the country. A vote of thanks was unanimously passed by the Senate and House of Representatives.

In the interval between the Thirteenth and Fourteenth Congresses (March – December, 1815), Mr. Webster was busily engaged at home in the practice of the law. He had begun at this time to consider the expediency of removing his residence to a wider professional field. Though receiving a full share of the best business of New Hampshire, it ceased to yield an adequate support for his increasing family, and still more failed to afford anything like the just reward of his legal attainment and labors. The destruction of his house, furniture, library, and many important manuscript collections, in "the great fire" at Portsmouth, in December, 1813, had entailed upon him the loss of the entire fruits of his professional industry up to that time, and made it necessary for him to look around him for the means of a considerably increased income. He hesitated

between Albany and Boston; and, in consequence of this indecision, the execution of his purpose was for the present postponed.

The Fourteenth Congress assembled in December, 1815. An order of things in a great degree new presented itself. After a momentary pause, the country rose with an elastic bound from the pressure of the war. Old party dissensions had lost much of their interest. The condition of Europe had undergone a great change. The power of the French emperor was annihilated; and with the return of general peace, all occasions for belligerent encroachments on neutral rights had ceased. Two-thirds of our domestic feuds had turned on foreign questions, and there was a spontaneous feeling throughout the country in favor of healing the wounds which these feuds had inflicted upon its social and political harmony. Nor was this all. New relations and interests had arisen. The public debt had been swelled by the war expenditure to a large amount, and its interest was to be paid. Domestic manufactures had, in some of the States, grown up into importance through the operation of the restrictive system and the war, and asked for protection. The West began to fill up with unexampled rapidity, and required new facilities of communication with the Atlantic coast. The navy had fought itself into favor, and the war with Algiers, in 1816, forbade its reduction below the recent war establishment. The necessity of a system of coast defences had made itself felt. With all these loud calls for increased expenditure, the public finances were embarrassed and the currency was in extreme disorder. In a word, there were new and great wants and interests at home and abroad, throwing former topics of dissension into the shade, and calling for the highest efforts of statesmanship and a patriotism embracing the whole country.

Among those who responded with the greatest cordiality and promptness to the new demand were the distinguished statesmen of the preceding Congress, and conspicuous among them Clay, Calhoun, Webster, Lowndes, and Cheves. It will excite some surprise at the present day, in consideration of the political history of the last thirty years, to find how little difference as to leading measures existed in 1816 between these distinguished statesmen. No line of general party difference separ-

ated the members of the first Congress after the peace. The great measures brought forward were a national bank, internal improvement, and a protective tariff. On these various subjects members divided, not in accordance with any party organization, but from individual convictions, supposed sectional interests, and general public grounds. On the two first-named subjects no systematic difference of views disclosed itself between the great Northern and Southern leaders; on the third alone there was diversity of opinion. In the Northern States considerable advances had been made in manufacturing industry, in different places, especially at Waltham (Mass.); but a great manufacturing interest had not yet grown up. The strength of this interest as yet lay mainly in Pennsylvania. Navigation and foreign trade were the leading pursuits of the North; and these interests, it was feared, would suffer from the attempt to build up manufactures by a protective tariff. It is accordingly a well-known fact, which may teach all to entertain opinions on public questions with some distrust of their own judgment, that the tariff of 1816, containing the *minimum* duty on coarse cotton fabrics, the corner-stone of the protective system, was supported by Mr. Calhoun and a few other Southern members, and carried by their influence against the opposition of the New England members generally, including Mr. Webster. It has been stated, that, during the pendency of this law before Congress, he denied the constitutionality of a tariff for protection. This statement is inaccurate; although, had it been true, it would have placed him only in the same relation to the question with Mr. Calhoun and other Southern members, who at that time admitted the principle of protection, but lived to reject it as the grossest and most pernicious constitutional heresy. It would have shown only that, in a long political career, he had, on the first discussion of a new question, expressed an opinion which, in the lapse of time and under a change of circumstances, he had seen occasion to alter. This is no ground of just reproach. It has happened to every public man in every free country, who has been of importance enough to have his early opinions remembered. It has happened to a large portion of the prominent men at the South, in reference to almost every great question agitated within the last generation. The

bank, internal improvements, a navy, the Colonization Society, the annexation of Texas, the power of Congress over the territories, this very question of the tariff, the doctrine of State rights generally, are subjects on which many prominent statesmen of the South, living or recently deceased, have in the course of their career entertained opposite views.

But it is not true that Mr. Webster in 1816 denied the constitutionality of a tariff for protection. In 1820, in discussing the subject in Faneuil Hall, he argued that, if the right of laying duties for protection were derived from the revenue power, it was of necessity incidental; and on that assumption, as the incident cannot go beyond that to which it is incidental, duties avowedly for protection, and not having any reference to revenue, could not be constitutionally laid. The hypothetical form of the statement shows a degree of indecision; while the proposition itself is not to be gainsaid. At a later period, and after it had been confidently stated, and satisfactorily shown by Mr. Madison, that the Federal Convention intended, under the provision for regulating commerce, to clothe Congress with the power of laying duties for the protection of manufactures; and after Congress had, by repeated laws, passed against the wishes of the navigating and strictly commercial interests, practically settled this constitutional question, and turned a vast amount of the capital of the country into the channel of manufactures; Mr. Webster considered a moderate degree of protection (such as would keep the home market steady under the occasional gluts in the foreign market, and shield the domestic manufacturer from the wholesale frauds of foreign importation) as the established policy of the United States; and he accordingly supported it. It is unnecessary to state, that this course has been pursued with the approbation of his constituents, and to the manifest good of the country. No change has taken place in Mr. Webster's opinions on the subject of protection which has not been generally shared and sanctioned by the intelligence of the manufacturing States. There are strong indications, even, that in the Southern States the superiority of the home market over the foreign is beginning to be felt.

Mr. Webster took an active and efficient part, at the first session of the Fourteenth Congress, in the debates on the char-

ter of the Bank of the United States, which passed Congress in April, 1816. While the bill was before the House, he moved and carried several amendments similar to those which he had caused to be introduced into the bill of the former year. He exerted himself in vain, however, against the participation of the Government in its management, and, in common with several independent members usually supporting the administration, he voted against it on its passage. Among the amendments to the bill, of which Mr. Webster procured the adoption, was one which required *deposits*, as well as the *notes* of the bank, to be paid on demand in specie.

But the great service rendered by Mr. Webster to the currency of the country in the Fourteenth Congress was in procuring the adoption of the specie resolution, in virtue of which, from and after the 20th of February, 1817, all debts due to the treasury were required to be paid in the legal currency of the country (gold or silver), in treasury notes, or the notes of the Bank of the United States, or in notes of banks which are payable and paid on demand in the same legal currency. This service can hardly be appreciated at the present day by those too young to recollect the state of things existing in this respect during the war and after its close. This resolution passed the two Houses, and was approved by the President on the 30th of April, 1816. It completely accomplished its object; and that object was to restore to a sound basis the currency of the country, and to give the people a uniform circulating medium. Of this they were destitute at the close of the war. All the banks, except those of the New England States, had suspended specie payments; but their depreciated bills were permitted by general consent, and within certain limits, to circulate as money. They were received of each other by the different banks; they passed from hand to hand; and even the public revenue was collected at par in this degraded paper. The rate of depreciation was different in different States, and with different banks in the same States, according as greater or less advantage had been taken of the suspension of the specie obligation.

What was not less harassing than this diversity was the uncertainty everywhere prevailing, how far the reputed rate of depreciation in any particular case might represent justly the real

condition of a bank or set of banks. In other words, men were obliged to make and receive payments in a currency of which, at the time, the value was not certainly known to them, and which might vary as it was passing through their hands. The enormous injustice suffered by the citizens of different States, in being obliged to pay their dues at the custom-houses in as many different currencies as there were States, varying at least twenty-five per cent. between Boston and Richmond, need not be pointed out. For all these mischiefs the resolution of Mr. Webster afforded a remedy as efficient as simple; and what chiefly moves our astonishment at the present day is, that a measure of this kind, demanded by the first principle of finance, overlooked by the executive and its leading friends in Congress, should be left to be brought forward by one of its youngest members, and he not belonging to the supporters of the administration. But commanding talent and profound knowledge of the subjects to be treated vindicate to themselves a position in public bodies, which official relations can neither confer nor take away. It would not be easy to name a political measure, in the history of the government, which has accomplished its design with greater simplicity and directness; and that design one of paramount importance to the country, and coming home to the business of every individual.

In all the other public measures brought forward in this Congress for meeting the new conditions of the country, Mr. Webster bore an active part, but they furnish no topic requiring illustration. At the close of the first session, in August, 1816, he executed the project to which we have already alluded of removing to a wider professional field. After some hesitation he decided on Boston, in which and its vicinity he has ever since made his home. He had established friendly relations here at an early period of life. In no part of the Union was his national reputation more cordially recognized than in the metropolis of New England. He took at once the place in his profession which belonged to his commanding talent and legal eminence, and was welcomed into every circle of social life.

Chapter III

Professional Character particularly in Reference to Constitutional Law. — The Dartmouth College Case argued at Washington in 1818. — Mr. Ticknor's Description of that Argument. — The Case of Gibbons and Ogden in 1824. — Mr. Justice Wayne's Allusion to that Case in 1847. — The Case of Ogden and Saunders in 1827. — The Case of the Proprietors of the Charles River Bridge. — The Alabama Bank Case. — The Case relative to the Boundary between Massachusetts and Rhode Island. — The Girard Will Case. — The Case of the Constitution of Rhode Island. — General Remarks on Mr. Webster's Practice in the Supreme Court of the United States. — Practice in the State Courts. — The Case of Goodridge, — and the Case of Knapp.

With Mr. Webster's removal to Boston commenced a period of five or six years' retirement from active political life, during which time, with a single exception which will be hereafter alluded to, he filled no public office, and devoted himself exclusively to the duties of his profession. It was accordingly within this period that his reputation as a lawyer was fixed and established. The promise of his youth, and the expectations of those who had known him as a student, were more than fulfilled. He took a position as a counsellor and an advocate, above which no one has ever risen in the country. A large share of the best business in New England passed into his hands; and the veterans of the Boston bar admitted him to an entire equality of standing, repute, and influence.

Besides the reputation which he acquired in the ordinary routine of practice, Mr. Webster, shortly after his removal to Boston, took the lead in establishing what might almost be called a new school of constitutional law. It fell to his lot to perform a prominent part in unfolding a most important class of constitutional doctrines, which, either because occasion had not drawn them forth, or the jurists of a former period had failed to deduce and apply them, had not yet grown into a system. It was reserved for Mr. Webster to distinguish himself before most, if not all, of his contemporaries, in this branch of his profession. It may be mentioned as a somewhat

curious coincidence, that the case in which he made his first great effort in this direction arose in his native State, and concerned the college in which he had been educated.

In the months of June and December, 1816, the legislature of New Hampshire passed acts altering the charter of Dartmouth College (of which the name was changed to Dartmouth University), enlarging the number of trustees, and generally reorganizing the corporation. These acts, although passed without the consent and against the protest of the Trustees of the College, went into operation. The newly created body took possession of the corporate property, and assumed the administration of the institution. The old board were all named as members of the new corporation, but declined acting as such, and brought an action against the treasurer of the new board for the books of record, the original charter, the common seal, and other corporate property of the College.

The action was commenced in the Court of Common Pleas for Grafton County, in February, 1817, and carried immediately to the Superior Court, in May of the same year. The general issue was pleaded by the defendants and joined by the plaintiffs. The case turned upon the point, whether the acts of the legislature above referred to were binding upon the corporation without their assent, and not repugnant to the Constitution of the United States. It was first argued by Messrs. Jeremiah Mason and Jeremiah Smith for the plaintiffs, and by the Attorney-General of New Hampshire for the defendants; and subsequently by Messrs. Mason, Smith, and Webster for the plaintiffs, and the Attorney-General and Mr. I. Bartlett for the defendants. At the November term it was decided by the Superior Court of New Hampshire, in an opinion delivered by Chief Justice Richardson, that the acts of the New Hampshire legislature were valid and constitutional. In giving his opinion on the case, the Chief Justice said: "The cause has been argued on both sides with uncommon learning and ability, and we have witnessed a display of talents and eloquence upon this occasion in the highest degree honorable to the profession of the law in this State." *

The case thus decided in the Superior Court of New Hampshire in favor of the validity of the State laws, was carried by

* 1 New Hampshire Reports, p. 113.

writ of error to the Supreme Court of the United States, where, on the 10th of March, 1818, it came on for argument before all the judges, Mr. Webster and Mr. (afterwards Judge) Hopkinson for the plaintiffs, and Mr. J. Holmes of Maine and the Attorney-General, Wirt, for the defendants in error. This was perhaps the first occasion in this country on which a question precisely of this kind had come up, and it is stated that, when one of the court had run his eye cursorily over the record, he said that he did not see how anything important could be urged by the plaintiffs in error.

It devolved upon Mr. Webster, as junior counsel, to open the case, and it is scarcely necessary to say to any one who has read the report of his argument, that, if such an impression as that just alluded to existed in the mind of any of the court, it must have been immediately dispelled. The ground was broadly taken, that the acts in question were not only against common right and the constitution of New Hampshire, but also, and this was the leading principle, against the provision of the Constitution of the United States which forbids the individual States from passing laws that impair the obligation of contracts. Under the first head, the entire English law relative to educational foundations was unfolded by Mr. Webster, and it was shown that colleges, unless otherwise specifically constituted by their charters, were private eleemosynary corporations, over whose property, members, and franchises the crown has no control, except by due process of law, for acts inconsistent with their charters. The whole learning of the subject was brought to bear with overwhelming weight on this point.

The second main point required to be less elaborately argued; namely, that such a charter is a contract which it is not competent for a State to annul. The argument throughout was pursued with a closeness and vigor which have been rarely witnessed in our courts. The topics were beyond the usual range of forensic investigation in this country. The constitutional principles sought to be applied were of commanding importance. Great public expectation was awakened by the novelty and magnitude of the case. The personal connection of Mr. Webster with Dartmouth College as the place of his education gave a fervor to his manner, which added, no doubt, to the effect of

the reasoning. On this point Mr. Ticknor expresses himself as follows: —

"Mr. Webster's argument is given in this volume [the first collection of his works,] that is, we have there the technical outline; the dry skeleton of it. But those who heard him when it was originally delivered still wonder how such dry bones could ever have lived with the power they there witnessed and felt. He opened his cause, as he always does, with perfect simplicity in the general statement of its facts, and then went on to unfold the topics of his argument in a lucid order, which made each position sustain every other. The logic and the law were rendered irresistible. But as he advanced, his heart warmed to the subject and the occasion. Thoughts and feelings that had grown old with his best affections rose unbidden to his lips. He remembered that the institution he was defending was the one where his own youth had been nurtured; and the moral tenderness and beauty this gave to the grandeur of his thoughts, the sort of religious sensibility it imparted to his urgent appeals and demands for the stern fulfilment of what law and justice required, wrought up the whole audience to an extraordinary state of excitement. Many betrayed strong agitation, many were dissolved in tears. Prominent among them was that eminent lawyer and statesman, Robert Goodloe Harper, who came to him when he resumed his seat, evincing emotions of the highest gratification. When he ceased to speak, there was a perceptible interval before any one was willing to break the silence; and when that vast crowd separated, not one person of the whole number doubted that the man who had that day so moved, astonished, and controlled them, had vindicated for himself a place at the side of the first jurists of the country." *

The opinion of the court, unanimous, with the exception of Justice Duvall, was pronounced by Chief Justice Marshall in the term for 1819, declaring the acts of the legislature of New Hampshire to be unconstitutional and invalid, and reversing the opinion of the court below. By this opinion the law of the land in reference to collegiate charters was firmly established. Henceforward our colleges and universities and their trustees, unless provision to the contrary is made in their acts of incorporation, stand upon the broad basis of common right and

* American Review, Vol. IX. p. 434.

justice; holding in like manner as individuals their property and franchises by a firm legal tenure, and not subject to control or interference on the part of the local legislatures on the vague ground that public institutions are at the mercy of the government. That such is the recoguized law of the land is owing in no small degree to the ability with which the Dartmouth College case was argued by Mr. Webster. The battle fought and the victory gained in this case were fought and gained for every college and university, for every academy and school, in the United States, endowed with property or possessed of chartered rights. It ought to be mentioned, to the credit of the State of New Hampshire, that she readily acquiesced in the decision of the Supreme Court of the United States, and made no attempt to sustain her recent legislation.

This celebrated cause, argued with such success before the highest tribunal in the country, established Mr. Webster's position in the profession. It placed him at once with Emmett and Pinkney and Wirt, in the front rank of the American bar, and, though considerably the youngest of this illustrious group, on an equality with the most distinguished of them. He was henceforward retained in almost every considerable cause argued at Washington. No counsel in the United States has probably been engaged in a larger portion of the business brought before that tribunal. While Mr. Webster as a politician and a statesman has performed an amount of intellectual labor, as is abundantly shown in these volumes, sufficient to form the sole occupation of an active life, there is no doubt that his arguments to the court and his addresses to the jury in important suits at law would, if they had been reported like his political speeches, have filled a much greater space.

It would exceed the limits of this sketch to allude in detail to all the cases argued by Mr. Webster in the Supreme Court of the United States; still less would it be practicable to trace him through his labors in the State courts. We can barely mention a few of the more considerable causes. The case of Gibbons and Ogden, in 1824, is one of great celebrity. In this case the grant by the State of New York to the assignees of Fulton, of an exclusive right to navigate the rivers, harbors, and bays of New York by steam, was called in question, and

was decided to be unconstitutional, after having been maintained by all the tribunals of that great and respectable State. The decision of this great case turned upon the principle, that the grant of such a monopoly of the right to enter a portion of the navigable waters of the Union was an encroachment, by the State, upon the power "to regulate commerce,"— a power reserved by the Constitution to Congress, and in its nature exclusive. The cause was argued by Messrs. Webster and Wirt for the plaintiffs, and by Messrs. Oakley and Emmett for the defendants in error, — an array of talent worthy the magnitude of the interests at stake. The decision of the court was against the monopoly. Few cases in the annals of federal jurisprudence are of equal importance; none, perhaps, was ever argued with greater ability. In the course of his discussion, Mr. Webster said, with great felicity of illustration, that, by the establishment of the Constitution, the commerce of this whole country had become a *unit*, a form of expression used with approbation by Chief Justice Marshall in delivering the opinion of the court.

A very distinguished compliment was paid to Mr. Webster's argument in this case, a quarter of a century after its delivery, by Mr. Justice Wayne of the Supreme Court of the United States. On the occasion of Mr. Webster's visit to the South, in the spring of 1847, he was received with public honors, among other places, at Savannah. He was there addressed by Judge Wayne on behalf of his fellow-citizens. In the course of his remarks on that occasion, Judge Wayne alluded to Mr. Webster's line of argument in this case in the following manner: —

"From one of your constitutional suggestions, every man in the land has been more or less benefited. We allude to it with the greater pleasure, because it was in a controversy begun by a Georgian in behalf of the constitutional rights of the citizen. When the late Mr. Thomas Gibbons determined to put to hazard a large part of his fortune in testing the constitutionality of the laws of New York limiting the navigation of the waters of that State to steamers belonging to a company, his own interest was not so much concerned as the right of every citizen to use a coasting license upon the waters of the United States, in whatever

way their vessels might be propelled. It was a sound view of the law, but not broad enough for the occasion. It is not unlikely that the case would have been decided upon it, if you had not insisted that it should be put upon the broader constitutional ground of commerce and navigation. The court felt the application and force of your reasoning, and it made a decision releasing every creek, and river, lake, bay, and harbor in our country from the interference of monopolies, which had already provoked unfriendly legislation between some of the States, and which would have been as little favorable to the interest of Fulton, as they were unworthy his genius."

The case of Ogden and Saunders, in 1827, brought in question the right of a State to pass an insolvent law. It was of course a case of high constitutional law, belonging to the same general class with those just mentioned, and relating to the limit of the powers of the several States, in reference to matters confided by the Constitution to the general government. This cause was argued by Mr. Clay and Mr. David B. Ogden of New York for the plaintiffs, and by Mr. Webster and Mr. Henry Wheaton for the defendants in error. In his argument in this case, Mr. Webster maintained the entire unconstitutionality of State bankrupt laws. This was a step in advance of the doctrines laid down by the Supreme Court of the United States in the case of Sturges and Crowninshield, nor did the court on the present occasion incline to go further than they had done in that case. They were divided in opinion, but a majority of the judges held, that, although it was not competent to a State to pass a law discharging a debtor from the obligation of payment, they might pass a law to discharge him from imprisonment on personal execution. The Chief Justice and Judge Story were the minority of the court, and the opinion of the Chief Justice sustained the principle of Mr. Webster's argument, which is, in fact, usually regarded as not falling below his most successful forensic efforts. The manner in which he meets the argument in favor of a prospective State insolvent law, namely, that such a law cannot impair the obligation of a contract because it is a part of the contract, may be quoted as a specimen of the acutest dialectics brought in aid of the broadest views of constitutional law.

In the year 1836, Mr. Webster argued at Washington the great cause of the proprietors of Charles River Bridge. This well-remembered case was a suit in chancery commenced in the Supreme Court of Massachusetts, where the bill was dismissed by a decree *pro forma*, the members of that court being equally divided in opinion. A writ of error was taken to the Supreme Court of the United States, on the ground that the rights of the proprietors of Charles River Bridge under their charter had been violated by the legislature, in authorizing the erection of Warren Bridge. The cause was argued at Washington, in 1836, and, having been then held under advisement by the court for a year, was, upon difference of opinion among the judges, ordered to be again argued, which was done in 1837. This was another of the great constitutional cases argued by Mr. Webster before the Supreme Court of the United States. The abstract principles of the case were perhaps as clear as in those to which we have alluded; but there were practical difficulties, no doubt, in their application to restrain the right of a legislature to grant an act of incorporation, in the usual form, for the construction of a new bridge, on the ground of interference with some prior similar franchise. The opinion of the court, adverse to the complainants, was delivered by Chief Justice Taney. Mr. Justice McLean was clearly of opinion that the merits of the case were with the complainants, but that the Supreme Court of the United States had no jurisdiction over it. Mr. Justice Story dissented from the majority, and sustained the doctrines advanced by Mr. Webster in a very learned and powerfully reasoned opinion.

In 1839 the constitutional rights of the Bank of the United States (so called), which was incorporated by the State of Pennsylvania after the termination of the Congressional charter, were drawn in question by a case from the State of Alabama, in which the right of a corporation or a citizen in one State to perform any legal act in another was asserted by Mr. Webster, and his argument was sustained by the court. Not long afterwards the controversy between Massachusetts and Rhode Island relative to their boundary, a controversy running back to the earliest periods of their colonial history, was brought

before the Supreme Court, at Washington, and argued by Mr. Webster for the Commonwealth of Massachusetts.

In 1844 the important case relative to the validity of Mr. Girard's bequest of the greater part of his estate to the city of Philadelphia, for the foundation of a college for orphans, was argued by Mr. Webster before the Supreme Court, at Washington, for the heirs at law. One of the grounds on which the bequest was impeached by them was, the exclusion by the will of all ecclesiastics, missionaries, or ministers, of whatever sect, from all offices in the college, and even from admission within the premises as visitors. So impressive was Mr. Webster's argument upon the importance of making provision for religious instruction in all institutions for education, that a meeting of the citizens of Washington belonging to different religious denominations was held, at which a resolution was passed expressing the opinion entertained by the meeting of the great value of Mr. Webster's argument, "in demonstrating the vital importance of Christianity to the success of our free institutions, and that the general diffusion of that argument among the people of the United States is a matter of deep public interest." A committee of eight gentlemen of the different denominations of Christians in the city was appointed to wait upon Mr. Webster, and request him to prepare for the press the report of that portion of his argument in which this important topic is treated.

In the month of January, 1848, the great Rhode Island case was brought before the Supreme Court of the United States, and argued by Mr. Webster for the chartered government of the State, and against the insurrectionary government, to which an abortive attempt had been made to give the form of a constitution, by a pretended act of the popular will. The true principles of popular and constitutional government are explored with unsurpassed sagacity in this argument. Some copies of the report of it in a pamphlet form reached Europe during the memorable year of 1848, when the Continent was convulsed with revolutionary struggles from one end to the other. It was there regarded as a most seasonable and instructive commentary on the nature of constitutional obligations, and of the rights of the people to modify their institutions of government.

A large portion of the causes argued by Mr. Webster belong to the province of constitutional law, and have their origin in that partition of powers which exists between the State governments and the government of the United States, each clothed with sovereignty in its appropriate sphere, each subject to limitations resulting from its relations to the other, each possessing its legislative bodies, its judicial tribunals, its executive authorities, and consequently armed with the means of asserting its rights, and both combined into one great political system. In such a system it cannot but happen that questions of conflicting jurisdiction should arise. When we consider that the powers of these two orders of government are defined in written constitutions of recent date, and that all the direct precedents of administration must of necessity, at the oldest, be still more recent, we cannot but wonder at the small number of disputed cases which have arisen, and at the sagacity, forethought, and practical wisdom of the founders of our Government, who made such admirable provision for the harmonious operation of the system.

Still, however, it was impossible that the class of cases provided for by the appellate jurisdiction of the Supreme Court of the United States should not present themselves, and no small portion of Mr. Webster's forensic life has been devoted to their investigation. It is unnecessary to state that they are questions of an elevated character. They often involve the validity of the legislative acts and judicial decisions of governments substantially independent, as they may in fact the constitutionality of the acts of Congress itself. No court in England will allow anything, not even a treaty with a foreign government, or the most undoubted principles of the law of nations, to be pleaded against an act of Parliament. The Supreme Court of the United States entertains the question not only of the constitutionality of the acts of the legislatures of States possessing most of the attributes of sovereignty, but also of the constitutionality of the acts of the national legislature, which possesses those attributes of sovereignty which are denied to the States. These circumstances give great dignity to its deliberations, and tend materially to elevate the character of a

constitutional lawyer in the United States.* Professional training in England has not been deemed the best school of statesmanship; but it will be readily perceived, that in this country a great class of questions, and those of the highest importance, belong alike to the senate and the court. Every one must feel that, in the case of Mr. Webster, the lawyer and the statesman have contributed materially to form each other.

Before quite quitting this subject, it may be proper to allude to Mr. Webster's professional labors of another class, in the ordinary State tribunals. Employed as counsel in all the most important cases during a long professional life, it is hardly necessary to say, that his investigations have extended to every department of the law, and that his speeches to the jury and arguments to the court have evinced a mastery of the learning and a control of the logic belonging to it, which are in most cases to be attained only by the exclusive study and practice of a life. The jurist and the advocate are so mingled in Mr. Webster's professional character, that it is not easy to say which predominates. His fervid spirit and glowing imagination place at his control all the resources of an overwhelming rhetoric, and make him all-powerful with a jury; while the ablest court is guided by his severe logic, and instructed by the choice which he lays before them of the most appropriate learning of the cases which he argues. It happens, unfortunately, that forensic efforts of this kind are rarely reported at length. A brief sketch of an important law argument finds a place in the history of the case, but distinguished counsel rarely have time or bestow the labor required to reproduce in writing an elaborate address either to court or jury. There is probably no species of intellectual labor of the highest order, which perishes for want of a contemporary record to the same extent as that which is daily exerted in the courts of law.

The present collection contains two speeches addressed to the jury by Mr. Webster in criminal trials. One was deliv-

* "Crescit enim cum amplitudine rerum vis ingenii, nec quisquam claram et inlustrem orationem efficere potest, nisi qui causam parem invenit." The dialogue *De Oratoribus*, § 37, usually printed with the works of Tacitus.

ered in the case of Goodridge, and in defence of the persons whom he accused of having robbed him on the highway. This cause was tried in 1817, shortly after the establishment of Mr. Webster at Boston. Rarely has a case, in itself of no greater importance, produced a stronger impression of the ability of counsel. The cross-examination of Goodridge, who pretended to have been robbed, and who had previously been considered a person of some degree of respectability, is still remembered at the bar of Massachusetts as terrific beyond example, and the speech to the jury in which his artfully contrived tale was stripped of its disguises may be studied as a model of this species of exposition.

Mr. Webster's speech to the jury in the memorable case of John F. Knapp is of a higher interest. The great importance of this case, as well on account of the legal principles involved, as of the depth of the tragedy in real life with which it was connected, has given it a painful celebrity. A detailed history of the case and of the trial, from the pen of the late ingenious and learned Mr. Merrill, will be found prefixed to Mr. Webster's speech, as contained in the sixth volume[1] of this collection. The record of the *causes célèbres* of no country or age will furnish either a more thrilling narrative, or a forensic effort of greater ability. A passage on the power of conscience will arrest the attention of the reader. There is nothing in the language superior to it. It was unquestionably owing to the legal skill and moral courage with which the case was conducted by Mr. Webster, that one of the foulest crimes ever committed was brought to condign punishment; and the nicest refinements of the law of evidence were made the means of working out the most important practical results. But it is time to return to the chronological series of events.

[1] Volume XI. of the National Edition.

Chapter IV

The Convention to revise the Constitution of Massachusetts. — John Adams a Delegate. — Mr. Webster's Share in its Proceedings. — Speeches on Oaths of Office, Basis of Senatorial Representation, and Independence of the Judiciary. — Centennial Anniversary at Plymouth on the 22d of December, 1820. — Discourse delivered by Mr. Webster. — Bunker Hill Monument, and Address by Mr. Webster on the Laying of the Corner-Stone, 17th of June, 1825. — Discourse on the Completion of the Monument, 17th of June, 1843. — Simultaneous Decease of Adams and Jefferson on the 4th of July, 1826. — Eulogy by Mr. Webster in Faneuil Hall. — Address at the Laying of the Corner-Stone of the New Wing of the Capitol. — Remarks on the Patriotic Discourses of Mr. Webster, and on the Character of his Eloquence in Efforts of this Class.

In 1820, on the separation of Maine, a convention became necessary in Massachusetts to readjust the Senate; and the occasion was deemed a favorable one for a general revision of the constitution. The various towns in the Commonwealth were authorized by law to choose as many delegates as they were entitled to elect members to the House of Representatives; and a body was constituted containing much of the talent, political experience, and weight of character of the State. Mr. Webster was chosen one of the delegates from Boston; and, with the exception of a few days' service, two or three years afterwards, in the Massachusetts House of Representatives,* this is the only occasion on which he ever filled any

* Mr. Webster makes the following playful allusion to this circumstance in a speech at a public dinner in Syracuse (New York), in the month of May of the present year: —

"It has so happened that all the public services which I have rendered in the world, in my day and generation, have been connected with the general government. I think I ought to make an exception. I was ten days a member of the Massachusetts legislature, and I turned my thoughts to the search for some good object in which I could be useful in that position; and, after much reflection, I introduced a bill which, with the general consent of both Houses of the Massachusetts legislature, passed into a law, and is now a law of the State, which enacts that no man in the State shall catch trout in any other manner than in the old way, with an ordinary hook and line."

political office under the State government either of Massachusetts or New Hampshire.

The venerable John Adams, second President of the United States, was a delegate to this convention from Quincy. He was the author of the original draft of the State constitution in 1780, and although his advanced age (he was now eighty-six years old) made it impossible for him to take an active part in the proceedings of the convention, he received the honor of a unanimous election as president. He declined the appointment; and Chief Justice Parker was chosen in his place.

The convention of 1820 was no doubt as respectable a political body as ever assembled in Massachusetts; and it is no more than justice to Mr. Webster to say, that, although he had been but a few years a citizen of the Commonwealth, and was personally a stranger to most of his associates, he was among the most efficient members of the body. He was named chairman of the committee to whom the important subject of oaths and qualifications for office was referred, and of the special committee on that chapter of the constitution which relates to the "University at Cambridge." Besides taking a leading part in the discussion of most of the important subjects which were agitated in the convention, he was the authority most deferred to on questions of order, and in that way exercised a steady and powerful influence over the general course of its proceedings. It is believed that on this occasion the practice of considering business in committee of the whole body was for the first time adopted in Massachusetts; that mode of procedure never having obtained in the legislature of the State. The dignified and efficient manner in which the duties of the chair were performed by Mr. Webster, whenever he was called to occupy it, was matter of general remark. It has often been a subject of regret with those who witnessed the uncommon aptitude evinced by him on these, as on similar occasions at Washington, for the discharge of the duties of presiding officer of a deliberative assembly, that he was never, during his Congressional career, called to the important office of Speaker of the House of Representatives. Considering the relation of the House to the political

condition of the country, there is no position under the Government which bears more directly upon the general character of the public counsels. The place has occasionally, both in former times and recently, been filled with great ability; but it has more frequently happened that speakers have been chosen from considerations of political expediency, and without regard to personal qualifications and fitness for the office. The effect has been highly prejudicial to the tone of the House, and its consequent estimation in the country. It has frequently happened that the decisions of the Speaker, as such, have commanded no respect. An appeal has been taken from them almost as a matter of course. The state of things is very different in the body most nearly resembling the Houses of Congress. Such a thing as an appeal from the decision of the Speaker on a point of order is hardly known in the British House of Commons, and the disposition of all parties to acquiesce in, if not to support, the decisions of the chair, is one of the characteristic features of that assembly.

The proceedings of the Massachusetts convention were ably reported, from day to day, in the Boston Daily Advertiser; but a contemporary report usually implies much abridgment of the speeches. Much that was said by Mr. Webster, as by other prominent speakers, appeared but in a condensed form; and it is believed, that, even when reported at greatest length and with most care, it was without the advantage of personal revision by the speakers. The third volume[1] of the present collection contains Mr. Webster's remarks on those provisions of the constitution which related to oaths of office and formed a kind of religious test, which Mr. Webster was disposed to abolish; a speech upon the basis of senatorial representation; and another upon the independence of the judiciary.

In the speech on the basis of the Senate, Mr. Webster defended the principle, which was incorporated into the original Constitution, and is recognized by the liberal writers of greatest authority on government, that due regard should be had to property in establishing a basis of representation. He showed the connection between the security of republican liberty and this principle. He first called attention in this country to the

[1] Volume V. of the National Edition.

fact, that this important principle was originally developed in Harrington's Oceana, a work much studied by our Revolutionary fathers. The practical consequence which Mr. Webster deduced from the principle was, that constitutional and legal provision ought to be made to produce the utmost possible diffusion and equality of property.

It is a melancholy instance of the injustice of party, that these views of Mr. Webster, which contain the philosophy of constitutional republicanism as distinct from a mere democracy of numbers, have, even down to the present day, served as the basis of a charge against him of anti-popular principles. Having observed in the speech referred to, "that it would seem to be the part of political wisdom to found government on property, and to establish such a distribution of property by the laws which regulate its transmission and alienation, as to interest the great majority of society in the protection of the government," the former part of this sentence has often been quoted as a substantive rule in favor of a moneyed aristocracy, and the latter uncandidly suppressed. It is hardly necessary to observe, that the point at issue was the constitution of the senatorial districts on the basis of the valuation; and that it was never proposed by Mr. Webster, or by anybody else, to apply the principle to individuals. The poor man in the rich senatorial district possessed as much political power as his wealthy neighbor. The principle, in fact, is but another form of that which gave the first impulse to the American Revolution, namely, that representation and taxation ought to go hand in hand.

While the Massachusetts convention was in session, Mr. Webster appeared before the public in another department of intellectual effort, and with the most distinguished success. It is hazardous for a person of great professional eminence to venture out of his sphere; perhaps the experiment has never before been so triumphantly made. In 1820, Mr. Webster was invited by the Pilgrim Society at Plymouth to deliver a discourse on the great anniversary of New England, the ever-memorable 22d of December. Several circumstances contributed on this occasion to the interest of the day. The peaceful surrender by Massachusetts of a portion of her ter-

ritory, greatly exceeding in magnitude that which she retained, in order to form the new State of Maine, was a pleasing exemplification of that prosperous multiplication of independent commonwealths within the limits of the Union, which forms one of the most distinctive features in our history. It was as much an alienation of territory from the local jurisdiction of Massachusetts, as if it had been ceded to Great Britain, and yet the alienation was cordially made. At this very time a controversy existed between the United States and England, relative to the conflicting title of the two governments to a very small portion, and that the least valuable part, of the same territory, which, after the aggravations and irritations of forty years of controversy, was in 1842 adjusted by Mr. Webster and Lord Ashburton, at a moment when war seemed all but inevitable. In any other country or age of the world, Maine could have been severed from Massachusetts only by a bloody revolution. Their amicable separation by mutual consent, although neither the first nor the second similar event in the United States, was still an occurrence which carried back the reflections of thoughtful men to the cradle of New England.

These reflections gathered interest from the convention then in session. It was impossible not to feel with unusual force the contrast between the circumstances under which the first simple compact of government, the germ of the American constitutions, was drawn up on board the Mayflower, and those under which the assembled experience, wisdom, and patriotism of the State were now engaged in reorganizing the government. Several of the topics which presented themselves to Mr. Webster's mind, and were discussed by him at Plymouth, had entered into the debates of the convention a few days before. Still more, the close of the second century from the landing of the Fathers, with all its mighty series of events in the social, political, and moral world, gave the highest interest to the occasion. Six New England generations were to pass in review. It was an anniversary which could be celebrated nowhere else as it could be at Plymouth. It was such an anniversary, with its store of traditions, comparisons, and anticipations, as none then living could witness again. The Pilgrim Society gave

utterance to the unanimous feeling of the community, in calling upon Mr. Webster to speak for the whole people of New England, at home and abroad, on this great occasion.

The discourse delivered by him in pursuance of their invitation, in some respects the most remarkable of his performances, begins the series of his works contained in the present collection. The felicity and spirit with which its descriptive portions are executed; the affecting tribute which it pays to the memory of the Pilgrims; the moving picture of their sufferings on both sides of the water; the masterly exposition and analysis of those institutions to which the prosperity of New England under Providence is owing; the eloquent inculcation of those great principles of republicanism on which our American commonwealths are founded; the instructive survey of the past, the sublime anticipations of the future of America, — have long since given this discourse a classical celebrity. Several of its soul-stirring passages have become as household words throughout the country. They are among the most favorite of the extracts contained in the school-books. An entire generation of young men have derived from this noble performance some of their first lessons in the true principles of American republicanism. It obtained at once a wide circulation throughout the country, and gave to Mr. Webster a position among the popular writers and speakers of the United States scarcely below that which he had already attained as a lawyer and a statesman. It is doubtful whether any extra-professional literary effort by a public man has attained equal celebrity.

In the course of a few years, when the corner-stone of the Bunker Hill Monument was to be laid, on the fiftieth anniversary of the battle, the general expectation again pointed to Mr. Webster as the orator of the day. This, too, was a great national and patriotic anniversary. For the first time, and after the lapse of a half-century, the commencement of the war of the American Revolution was to be publicly celebrated under novel, significant, and highly affecting circumstances. Fifty years had extinguished all the unkindly associations of the day, and raised it from the narrow sphere of local history to a high place in the annals of the world. A great confederacy

had sprung from the blood of Bunker Hill. This was too important an event in the history of the world to be surrendered to hostile and party feeling. No friend of representative government in England had reason to deplore the foundation of the American republics. No one can doubt that the development of the representative principle in this country has contributed greatly to promote the cause of Parliamentary reform in Great Britain. Other considerations gave great interest to the festival of the 17th of June, 1825. Fifty years of national life, fortune, and experience, not exhibiting in their detail an unvarying series of prosperity, (for it was fifty years in the history, not of angels, but of men), but assuredly not surpassed in the grand aggregate by any half-century in the annals of the world, were now brought to a close. Vast as the contrast was in the condition of the country at the beginning and close of the period, there were still living venerable men who had acted prominent and efficient parts in the opening scenes of the drama. Men who had shared the perils of 1775 shared the triumph of the jubilee. More than a hundred of the heroes of the battle were among the joyous participators in this great festival. Not the least affecting incident of the celebration was the presence of Lafayette, who had hastened from his more than royal progress through the Union to take a part in the ceremonial.

It is unnecessary to say, that on such an occasion, with all these circumstances addressed to the imaginations and the thoughts of men, in the presence of a vast multitude of the intelligent population of Massachusetts and the other New England States, with no inconsiderable attendance of kindred and descendants from every part of the Union, an address from such an orator as Mr. Webster, on such a platform, on such a theme, in the flower of his age and the maturity of his faculties, discoursing upon an occasion of transcendent interest, and kindling with the enthusiasm of the day and the spot, may well be regarded as an intellectual treat of the highest order. Happy the eyes that saw that most glorious gathering! Happy the ears that heard the heart-stirring strain!

Scarcely inferior in interest was the anniversary celebration, when the Bunker Hill Monument was finally completed, in 1843, and Mr. Webster again consented to address the im-

mense multitude which the ceremonial could not fail to bring together. In addition to all the other sources of public interest belonging to the occasion, the completion itself of the structure was one to which the community attached great importance. It had been an object steadily pursued, under circumstances of considerable discouragement, by a large number of liberal and patriotic individuals, for nearly a quarter of a century. The great work was now finished; and the most important event in the history of New England was henceforward commemorated by a monument destined, in all human probability, to last as long as any work erected by the hands of man. The thrill of admiration which ran through the assembled thousands, when, at the commencement of his discourse on that occasion, Mr. Webster apostrophized the monument itself as the mute orator of the day, has been spoken of by those who had the good fortune to be present as an emotion beyond the power of language to describe. The gesture, the look, the tone of the speaker, as he turned to the majestic shaft, seemed to invest it with a mysterious life; and men held their breath as if a solemn voice was about to come down from its towering summit. This address does not appear to have had the advantage possessed by those of Plymouth in 1820, and of Bunker Hill in 1825, in having been written out for the press by Mr. Webster. It seems to have been prepared for publication from the reporter's notes, with some hasty revision, perhaps, by the author.

On the 4th of July, 1826, occurred the extraordinary coincidence of the deaths of Adams and Jefferson, within a few hours of each other, on the fiftieth anniversary of the Declaration of Independence; an event with which they were both so closely connected, as members of the committee by which the ever-memorable state paper was prepared and brought into the Continental Congress. The public mind was already predisposed for patriotic emotions and sentiments of every kind by many conspiring causes. The recency of the Revolutionary contest, sufficiently illustrated by the fact that many of those engaged in it were still alive and had been the subjects of liberal provision by Congress; the complete, though temporary, fusion of parties, producing for a few years a political lull,

never witnessed to the same extent before or since; the close of the half-century from the commencement of the Revolutionary War, and the commemoration of its early conflicts on many of the spots where they occurred; the foundation of the Bunker Hill Monument, and of a similar work on a smaller scale at Concord; the visit of Lafayette; abroad, the varying scenes of the Greek revolution and the popular movement in many other parts of Europe, — united in exciting the public mind in this country. They kindled to new fervor the susceptible and impulsive American temperament. The simultaneous decease of the illustrious patriarchs of the Revolution, under these circumstances of coincidence, fell upon a community already prepared to be deeply affected. It touched a tender chord, which vibrated from one end of the Union to the other. The affecting event was noticed throughout the country. Cities and States vied with each other in demonstrations of respect for the memory of the departed. The heart of the country poured itself forth in one general utterance of reverential feeling. Nowhere was the wonderful event noticed with greater earnestness and solemnity of public sentiment than in Boston. Faneuil Hall was shrouded in black. Perhaps for the first time since its erection an organ was placed in the gallery, and a sublime funeral service was performed. It is unnecessary to dwell upon the effect of preparations like these upon an intelligent audience, assembled under highly wrought feeling. They produced a tone of mind in unison with the magnificent effort of thought which was to follow.

It has, perhaps, never been the fortune of an orator to treat a subject in all respects so extraordinary as that which called forth the eulogy on Adams and Jefferson; a subject in which the characters commemorated, the field of action, the magnitude of the events, and the peculiar personal relations, were so important and unusual. Certainly it is not extravagant to add, that no similar effort of oratory was ever more completely successful. The speech ascribed to John Adams in the Continental Congress, on the subject of declaring the independence of the Colonies, — a speech of which the topics of course present themselves on the most superficial consideration of the subject, but of which a few hints only of what was actually said

are supplied by the letters and diaries of Mr. Adams, — is not excelled by anything of the kind in our language. Few things have taken so strong a hold of the public mind. It thrills and delights alike the student of history, who recognizes it at once as the creation of the orator, and the common reader, who takes it to be the composition, not of Mr. Webster, but of Mr. Adams. From the time the eulogy was delivered to the present day, the inquiry has been often made and repeated, sometimes even in letters addressed to Mr. Webster himself, whether this exquisite appeal is his or Mr. Adams's. An answer to a letter of this kind will be found appended to the eulogy in the present edition.

These discourses, with the exception of the second Bunker Hill Address, were delivered within about five years of each other; the first on the 22d of December, 1820, the last on the 2d of August, 1826. With the exception named, Mr. Webster has excused himself from the delivery of public addresses of this class, though continually invited from almost every part of the country and upon occasions of every kind. Within the last twelvemonth, however, he has yielded himself to the peculiar and urgent condition of public affairs, and has addressed his fellow-citizens on several occasions not immediately connected with senatorial or professional duty, and with the power and felicity which mark his earlier efforts. The most remarkable of these recent addresses is his speech delivered at Washington on the 4th of July, 1851, at the ceremonial of the laying of the corner-stone of the addition to the Capitol. This ceremonial, itself of no ordinary interest, and the aspect of public affairs under which it was performed, gave a peculiar fervor and solemnity to Mr. Webster's treatment of the subject. Never, perhaps, were the principles to which the great day is consecrated unfolded in a few paragraphs with greater precision and comprehensiveness; or the auspicious influence of these principles on the progress of the country more happily set forth. The contrast between the United States of 1793, when the corner-stone of the original Capitol was laid by President Washington, and the United States of 1851, when this enlargement became necessary, is brought out with great skill and discrimination. The appeal to the Southern States, whether the government

under which the Union has grown and prospered is a blessing or a curse to the country, is a burst of the highest eloquence. The allusion and apostrophe to Washington will be rehearsed by the generous youth of America as long as the English language is spoken on this side of the Atlantic Ocean.

This great oration, perhaps not premeditated so carefully, as far as the mere language is concerned, as those of an earlier date with which we have classed it, is not inferior to either of them in the essentials of patriotic eloquence. It belongs, in common with them, to a species of oratory neither forensic, nor parliamentary, nor academical; and which might perhaps conveniently enough be described by the epithet which we have just applied to it, — the patriotic. These addresses are strongly discriminated from the forensic and the parliamentary class of speeches, in being from the nature of the case more elaborately prepared. The public taste in a highly cultivated community would not admit, in a performance of this kind, those marks of extemporaneous execution, which it not only tolerates, but admires, in the unpremeditated efforts of the senate and the bar. The latter shines to greatest advantage in happy impromptu strokes, whether of illustration or argument; the former admits, and therefore demands, the graceful finish of a mature preparation.*

It is not, indeed, to be supposed, that an orator like Mr. Webster is slavishly tied down, on any occasion, to his manuscript notes, or to a *memoriter* repetition of their contents. It may be presumed that in many cases the noblest and the boldest flights, the last and warmest tints thrown upon the canvas, in discourses of this kind, were the unpremeditated inspiration of the moment of delivery. The opposite view would be absurd, because it would imply that the mind, under the high excitement of delivery, was less fertile and creative than in the repose of the closet. A speaker could not, if he attempted it, anticipate in his study the earnestness and fervor of spirit induced by actual contact with the audience; he could not by any possibility forestall the sympathetic influence upon his

* The leading ideas in this and the following paragraph may be found in a review of Mr. Webster's Speeches, in the North American Review, Vol. XLI. p. 241, written by the author of this Memoir.

imagination and intellect of the listening and applauding throng. However severe the method required by the nature of the occasion, or dictated by his own taste, a speaker like Mr. Webster will not often confine himself "to pouring out fervors a week old."

The orator who would do justice to a great theme or a great occasion must thoroughly study and understand the subject; he must accurately, and if possible minutely, digest in writing beforehand the substance, and even the form, of his address; otherwise, though he may speak ably, he will be apt not to make in all respects an able speech. He must entirely possess himself beforehand of the main things which he wishes to say, and then throw himself upon the excitement of the moment and the sympathy of the audience. In those portions of his discourse which are didactic or narrative, he will not be likely to wander, in any direction, far from his notes; although even in those portions new facts, illustrations, and suggestions will be apt to spring up before him as he proceeds. But when the topic rises, when the mind kindles from within, and the strain becomes loftier, or bolder, or more pathetic, when the sacred fountain of tears is ready to overflow, and audience and speaker are moved by one kindred sympathetic passion, then the thick-coming fancies cannot be kept down, the storehouse of the memory is unlocked, images start up from the slumber of years, and all that the orator has seen, read, heard, or felt returns in distinct shape and vivid colors. The cold and premeditated text will no longer suffice for the glowing thought. The stately, balanced phrase gives place to some abrupt, graphic expression, that rushes unbidden to his lips. The unforeseen incident or locality furnishes an apt and speaking image; and the discourse instinctively transposes itself into a higher key.

Many illustrations of these remarks may be found in the following volumes. We may refer particularly to the address to the survivors of the Revolution and the apostrophe to Warren in the first discourse on Bunker Hill. These were topics too obvious and essential, in an address on laying the corner-stone of the monument, to have been omitted in the orator's notes prepared beforehand. But no one will think that the entire apostrophe to Warren, as it stands in the reported speech, was

elaborated in the closet and committed to memory. In fact there is a slight grammatical inaccuracy, caused by passing from the third person to the second in the same sentence, which is at once the natural consequence and the proof of an unpremeditated expansion or elevation of the preconceived idea. We see the process. When the sentence commenced, "But, ah! him!" it was evidently in the mind of the orator to close it by saying, "How shall I speak of him?" But in the progress of the sentence, forgetful, unconscious, of the grammatical form, but melting with the thought, beholding, as he stood upon the spot where the hero fell, his beloved and beautiful image rising from the ground, he can no longer speak *of* him. Willing subject of his own witchery, he clothes his conception with sensible forms, and speaks *to* the glorious being whom he has called back to life. He no longer attempts to discourse of Warren to the audience, but passing, after a few intervening clauses, from the third person to the second, he exclaims, "How shall I struggle with the emotions that stifle the utterance of *thy* name! Our poor work may perish, but thine shall endure! This monument may moulder away; the solid ground it rests upon may sink down to a level with the sea; but thy memory shall not fail!"

Chapter V

Election to Congress from Boston. — State of Parties. — Meeting of the Eighteenth Congress. — Mr. Webster's Resolution and Speech in favor of the Greeks. — Argument in the Supreme Court in the Case of Gibbons and Ogden. — Circumstances under which it was made. — Speech on the Tariff Law of 1824. — A complete Revision of the Law for the Punishment of Crimes against the United States reported by Mr. Webster, and enacted. — The Election of Mr. Adams as President of the United States. — Meeting of the Nineteenth Congress, and State of Parties. — Congress of Panama, and Mr. Webster's Speech on that Subject. — Election as a Senator of the United States. — Revision of the Tariff Law by the Twentieth Congress. — Embarrassments of the Question. — Mr. Webster's Course and Speech on this Subject.

In the autumn of 1822, Mr. Webster consented to be a candidate for Congress for the city (then town) of Boston, and was chosen by a very large majority over his opponent, Mr. Jesse Putnam. The former party distinctions, as has been already observed, had nearly lost their significance in Massachusetts, as in some other parts of the country. As a necessary, or at least a natural consequence of this state of things, four candidates had already been brought forward for the Presidential election of November, 1824; namely, Mr. John Quincy Adams of Massachusetts, Mr. Clay of Kentucky, General Jackson of Tennessee, and Mr. Crawford of Georgia. Mr. Calhoun of South Carolina and Mr. Lowndes of the same State had also both been nominated by their friends at an early period of the canvass; but the latter was soon removed by death, and Mr. Calhoun withdrew his pretensions in favor of General Jackson. All the candidates named had either originally belonged to the old Democratic party (or Republican party as it was then more usually called), or had for many years attached themselves to it; but no one of them was supported on that ground. Mr. Crawford alone had attempted to avail himself of the ancient party machinery, so far as to accept a nomination by a Congressional caucus of his friends. They formed, however, but a minority of the Republican members of Congress, and the signal failure of the nomination contributed to

the final abandonment of that mode of procedure. No Presidential candidate has since been nominated by a Congressional caucus. In the canvass of 1824, it was the main effort of the friends of all the candidates, by holding out the prospect of a liberal basis of administration, to draw to themselves as many as possible of the old Federal party. In Massachusetts, and generally in New England, the fusion of parties was complete, and Mr. Adams received their united support. In the Middle States the union was less perfect, and the votes of a large proportion of the old Federal party were given to General Jackson and Mr. Crawford.

The Congressional elections in Massachusetts are held a year in advance. It was not till December, 1823, that Mr. Webster took his seat as a member of the Eighteenth Congress. It has rarely happened to an individual, by engaging in public life, to make an equal sacrifice of personal interest. Born to an inheritance of poverty, struggling through youth and early manhood against all the difficulties of straitened means and a narrow sphere, he had risen above them all, and was now in an advantageous position, at the height of his reputation, receiving as great a professional income as any lawyer in the United States, and rapidly laying the foundation of an ample independence. All this was to be put at risk for the hazardous uncertainties, and the scarcely less hazardous certainties, of public life. It was not till after repeated refusals of a nomination to both Houses of Congress, that Mr. Webster was at last called upon, in a manner which seemed to him imperative, to make the great sacrifice. In fact, it may truly be said, that, to an individual of his commanding talent and familiarity with political affairs, and consequent ability to take a lead in the public business, the question whether he shall do so is hardly submitted to his option. It is one of the great privileges of second-rate men, that they are permitted in some degree to follow the bent of their inclinations. It was the main inducement of Mr. Webster in returning to political life, that the cessation of the coarse conflicts of party warfare seemed to hold out some hope that statesmanship of a higher order, an impartial study of the great interests of the country, and a policy aiming to promote the development of its vast natural resources, might be called into action.

Although the domestic politics of the United States were in a condition of repose, the politics of Europe at this time were disturbed and anxious. Revolutions had within a few years broken out in Naples, Piedmont, and Spain; while in Greece a highly interesting struggle was in progress, between the Christian population of that country and the government of their Ottoman oppressors. At an early period of this contest, it had attracted much notice in the United States. A correspondence had been opened between an accredited committee of the Grecian patriots sitting at Paris, with the celebrated Koray at their head, and friends of the cause of Greece in this country; * and a formal appeal had been made to the people of the United States, by the Messenian Senate of Kalamata, the first revolutionary congress which assembled in Greece. President Monroe, both in his annual message of December, 1822, and in that of 1823, had expressed respect and sympathy for their cause. The attention of Congress being thus called to the subject, Mr. Webster thought it a favorable opportunity to speak an emphatic word, from a quarter whence it would be respected, in favor of those principles of rational liberty and enlightened progress which were seeking to extend themselves in Europe. As the great strength of the Grecian patriots was to be derived, not from the aid of the governments of Christendom, but from the public opinion and the sympathy of the civilized world, he felt that they had a peculiar right to expect some demonstration of friendly feeling from the only powerful republican state. He was also evidently willing to embrace the opportunity of entering an American protest against the doctrines which had been promulgated in the manifestoes of the recent congresses of the European sovereigns.

Till the administration of Mr. Jefferson, it had been the custom of the two Houses to return answers to the annual messages of the President. These answers furnished Congress with the means of responding to the executive suggestions. As much time was often consumed in debating these answers, (a consumption of time not directly leading to any legislative result), and as differences in opinion between Congress and the executive, if they existed, were thus prematurely developed, it was thought

* See North American Review, Vol. XVII. p. 414.

a matter of convenience, when Mr. Jefferson came into power, to depart from the usage. But though attended with evils, it had its advantages. The opportunity of general political debate, under a government like ours, if not furnished, will be taken. The constituencies look to their representatives to discuss public questions. It will perhaps be found, on comparing the proceedings of Congress at the present day with what they were fifty years ago, that, although the general debate on the answer to the President's message has been retrenched, there is in the course of the session quite as much discussion of topics incidentally brought in, and often to the serious obstruction of the public business, at the advanced stages of the session.

Whatever may be thought of this as a general principle, President Monroe, as we have seen, having in two successive annual messages called the attention of Congress to this subject, Mr. Webster, by way of response to these allusions, at an early period of the session offered the following resolution in the House of Representatives: —

"*Resolved*, That provision ought to be made by law for defraying the expense incident to the appointment of an agent or commissioner to Greece, whenever the President shall deem it expedient to make such appointment."

His speech in support of this resolution was delivered on the 19th of January, 1824, in the presence of an immense audience, brought together by the interesting nature of the subject and by the fame of the speaker, now returned, after six years' absence, to the field where he had gathered early laurels, and to which he had now come back with greatly augmented reputation. The public expectation was highly excited; and it is but little to say, that it was entirely fulfilled. The speech was conceived and executed with rare felicity; and was as remarkable for what it did not, as for what it did contain. To a subject on which it was almost impossible to avoid a certain strain of classical sentiment, Mr. Webster brought a chastened taste and a severe logic. He indulged in no *ad captandum* reference to the topics which lay most obviously in his way. A single allusion to Greece, as the mistress of the world in letters and arts, found an appropriate place in the exordium. But he neither rhapsodized

about the ancients, nor denounced the Turks, nor overflowed with Americanism. He treated, in a statesmanlike manner, what he justly called "the great political question of the age," the question "between absolute and regulated governments," and the duty of the United States on fitting occasions to let their voice be heard on this question. He concisely reviewed the doctrines of the Continental sovereigns, as set forth in what has been called "the Holy Alliance," and in the manifestoes of several successive Congresses. He pointed out the inconsistency of these principles with those of self-government and national independence, and the duty of the United States to declare their sentiments in support of the latter. He showed that such a declaration was inconsistent with no principle of public law, and forbidden by no prudential consideration. He briefly sketched the history of the Greek revolution; and having shown that his proposal was a pacific measure, both as regards the Turkish government and the European allies, he took leave of the subject with a few manly words of sympathy for the Greeks.

He was supported by several leading members of the House, — by Mr. Clay, by Mr. Stevenson of Virginia, afterwards Speaker of the House and Minister to England, and by General Houston of Tennessee; but the subject lay too far beyond the ordinary range of legislation; it gained no strength from the calculations of any of the Presidential candidates; it enlisted none of the great local interests of the country; and it was not of a nature to be pushed against opposition or indifference. It was probably with little or no expectation of carrying it, that the resolution was moved by Mr. Webster. His object was gained in the opportunity of expressing himself upon the great political question of the day. His words of encouragement were soon read in every capital and at every court of Europe, and in every Continental language; they were received with grateful emotion in Greece. At home the speech fully sustained Mr. Webster's reputation, not merely for parliamentary talent, but for an acquaintance with general politics, which few public men in the United States give themselves the trouble to acquire, — even among those who are selected to represent the country abroad. In a letter from Mr. Jeremiah Mason, a person whose judg-

ment on a matter of this kind was entitled to as much respect as that of any man in the community, this speech is pronounced "the best sample of parliamentary eloquence and statesmanlike reasoning which our country can show."

It was during this session, that Mr. Webster made his great argument in the Supreme Court of the United States in the case of Gibbons and Ogden, to which we have already alluded. It must increase the admiration with which this great constitutional effort is read, to know that the case came on in court a week or ten days earlier than Mr. Webster expected, and that it was late in the afternoon, after a severe debate in the House of Representatives on some of the details of the tariff bill, that he received the intimation that he must be ready to go into court and argue the cause the next morning. At this time his brief was not drawn out; and the statement of the argument, the selecting of the authorities, and the final digest of his materials, whether of reasoning or fact, were to be the work of the few intervening hours. It is superfluous to say that there was no long space for rest or sleep; though it seems hardly credible that the only specific premeditation of such an argument before such a tribunal should have been in the stolen watches of one night.

In the course of this session Mr. Webster, besides taking a leading part in the discussion of the details of the tariff law of 1824, made a carefully prepared speech, in reply to Mr. Clay, on some of the principles upon which he had supported it. His exposition of the popular errors on the subject of the balance of trade may be referred to as a very happy specimen of philosophical reasoning applied to commercial questions. Mr. Webster did not contest the constitutional right of Congress to lay duties for the protection of manufactures. He opposed the bill on grounds of expediency, drawn from the condition of the country at the time, and from the unfriendly bearing of some of its provisions on the navigating interests. He was the representative of the principal commercial city of New England. The great majority of his constituents were opposed to the bill; one member only from Massachusetts voted in its favor. The last sentence of the speech shows the general view which he took of the provisions of the act as a whole: "There are some parts

of this bill which I highly approve; there are others in which I should acquiesce; but those to which I have now stated my objections appear to me so destitute of all justice, so burdensome and so dangerous to that interest which has steadily enriched, gallantly defended, and proudly distinguished us, that nothing can prevail upon me to give it my support." This sentence sufficiently shows with how little justice it was asserted, in 1828, that Mr. Webster had, in 1824, declared an uncompromising hostility to all legislative provision for the encouragement and protection of manufactures.

No subject of great popular interest came up for debate in the second session of the Eighteenth Congress, but the attention of Mr. Webster, as chairman of the Judiciary Committee, was assiduously devoted to a subject of great practical importance; brought forward entirely without ostentation or display, but inferior in interest to scarce any act of legislation since the first organization of the government. We refer to the act of the 3d of March, 1825, "more effectually to provide for the punishment of certain crimes against the United States, and for other purposes." This chapter in the legislation of the United States had been comparatively overlooked. The original act of the 30th of April, 1790, "for the punishment of certain crimes against the United States," deserves, in common with much of the legislation of the First Congress, the praise of great sagacity and foresight in anticipating the wants and the operation of the new system of government. Still, however, there was a class of cases, arising out of the complex nature of our system, and the twofold jurisdiction existing in the United States, which, being entirely novel in the history of other governments, was scarcely to be provided for in advance. The analysis of the English constitution here failed the able men upon whom it devolved to put the new system of government in operation. It is to be wondered at, not that some things were overlooked, but that so many were provided for.

Of the cases left thus unprovided for, more perhaps were to be found in the judiciary department than in any other. Many crimes committed on shipboard, beyond the jurisdiction of any State, or in places within the Union excepted from State jurisdiction, were unprovided for. Statutes had been enacted

from time to time to supply these deficiencies; but the subject does not appear at any time to have attracted the special attention of any one whose professional knowledge and weight of character qualified him to propose a remedy. It was at length taken up by Mr. Webster, in the second session of the Eighteenth Congress. It fell appropriately within the sphere of the Committee on the Judiciary, of which he was chairman; and his own extensive practice in the courts both of the United States and of the separate States had made him well acquainted with the defects of the existing laws. He accordingly drew up what finally passed the two Houses, as the sixty-fifth chapter of the laws of the second session of the Eighteenth Congress, and procured the assent of the Committee on the Judiciary to report it to the House. Some amendments of no great moment were made to it on its passage, partly on the motion of Mr. Webster himself, and partly on the suggestion of other members of the House. As it finally passed, in twenty-six sections, it covered all the cases which had occurred in the thirty-five years which had elapsed since the law of 1790 was enacted; and it amounted to a brief, but comprehensive, code of the criminal jurisprudence of the United States, as distinct from that of the separate States.

It was Mr. Webster's object in this statute, not to enact theoretical reforms, but to remedy practical evils; to make provision for crimes which, for want of jurisdiction, had hitherto gone unpunished. It was objected to the bill, on its passage through the House, that it created a considerable number of capital offences. But these were already, in every case, capital offences either at common law or by the criminal law of the States, whenever the State tribunals were competent to take cognizance of them. It was the effect of Mr. Webster's act, not to create new offences, but to bring within the reach of a proper tribunal crimes recognized as such by all the codes of law, but which had hitherto escaped with impunity between separate jurisdictions. The bill was received with great favor by the House. Mr. Buchanan said that he highly approved its general features. "It was a disgrace," he added, "to our system of laws, that no provision had ever been made for the punishment of the crimes which it embraced, when committed in places

within the jurisdiction of the United States." An eloquent argument was made by Mr. Livingston of Louisiana in favor of substituting lower penalties for capital punishment, but he failed to satisfy the House of the expediency of so great a revolution in our criminal jurisprudence. Some slight modifications of the bill were conceded to the sensitiveness of those who apprehended encroachment on State jurisdiction; but it passed substantially in the form in which it was reported by Mr. Webster. Twenty-seven years' experience have shown it to be one of the most valuable laws in the statute-book.

At this session of Congress the election of a President of the United States devolved upon the House of Representatives, in default of a popular choice. The votes of the electoral colleges were ninety-nine for General Jackson, eighty-four for Mr. Adams, forty-one for Mr. Crawford, and thirty-seven for Mr. Clay. This was the second time since the adoption of the Constitution, in 1789, that such an event had occurred. The other case was in 1801, and under the Constitution in its original form, which required the electoral colleges to vote for two persons, without designating which of the two was to be President, and which Vice-President, the choice between the two to be decided by plurality. The Republican candidates, Thomas Jefferson and Aaron Burr, having received each an equal number of votes, it devolved upon the House of Representatives to designate one of them as President. The Constitution was immediately amended so as to require the candidates for the two offices to be designated as such in the electoral colleges; so that precisely such a case as that of 1801 can never recur. In 1824, however, no person having received a majority of all the votes, it became necessary for the House to choose a President from among the three candidates having the highest number. On these occasions the House votes, not *per capita*, but by States, the delegation of each State choosing its teller. Mr. Webster was appointed teller for the Massachusetts delegation. The number of States was twenty-four, and the tellers were seated in parties of twelve at two tables. Mr. Webster was appointed by the tellers at one of the tables to announce the result of the balloting; Mr. Randolph was appointed to the same service at the other table. The result was declared to be, for Mr. Adams

thirteen votes, for General Jackson seven, and for Mr. Crawford four. The votes of most of the States were matters of confident calculation beforehand; those of Maryland and New York were in some degree doubtful. The former was supposed to depend upon the decision of Mr. Warfield; the latter on that of General Van Rensselaer. Mr. Webster possessed the political confidence of both these gentlemen; and is believed to have exerted a decisive influence in leading them to vote for Mr. Adams.

Mr. Webster had been elected to the Nineteenth Congress in the autumn of 1824, by a vote of four thousand nine hundred and ninety out of five thousand votes cast, the nearest approach to unanimity in a Congressional election, perhaps, that ever took place. The session which began in December, 1825, was of course the first session under Mr. Adams's administration. The brief armistice in party warfare which existed under Mr. Monroe was over. The friends of General Jackson *en masse*, most of the friends of Mr. Crawford, and a portion of those of Mr. Clay, joined in a violent opposition to the new administration. It would be impossible in this place to unfold the griefs, the interests, the projects, the jealousies, and the mutual struggles, of the leaders and the factions, who, with no community of political principle, entered into this warfare. The absence of any well-defined division of parties, like that which had formerly existed, gave wide scope to personal intrigue and sectional preference. Although, estimated in reference to individual suffrages, Mr. Adams had received a popular majority; and although he was selected from the three highest candidates by an absolute majority of the States voting in the House of Representatives, and by a very large plurality over both his competitors, yet, as General Jackson had received a small plurality of votes in the electoral colleges (but a little more, however, than a third part of the entire electoral vote), he stood before the masses as a candidate wrongfully deprived of the place to which he was designated by the popular choice. Great sensibility was evinced at this defeat of the "Will of the People"; and none seemed to feel the wrong more than a portion of the friends of that one of the three candidates who had received the smallest vote, but whom there had been,

nevertheless, a confident hope of electing in the House. The prejudice against Mr. Adams arising from this source derived strength from the widely circulated calumny of a corrupt understanding between him and Mr. Clay. The bare suspicion of an arrangement between party leaders to help each other into office, however groundless in point of fact, and however disproved by all the testimony which could be brought to bear on a negative proposition, was sufficient seriously to affect the popularity of both parties.

Great talent, the amplest civil experience, and the purest patriotism are an inadequate basis of strength for an administration. If the capricious and ill-defined element of what is called popularity is wanting, all else is of little avail. Mr. Adams's administration was conducted with the highest ability; it was incorruptible; it was frugal; it was tolerant of opponents to its own injury. With the exception of half a dozen editors of newspapers warmly opposed to the administration, from whom the trifling privilege of printing the laws was withdrawn, no one was removed from office for political opinion. But the administration was unpopular, and was doomed from its formation. It was supported by very able men in both Houses of Congress, and of these Mr. Webster was by all acknowledgment the chief. But it failed to command the confidence of a numerical majority of the people.

The leading measure of the first session of the Nineteenth Congress was the Congress of Panama. Mr. Adams had announced in his message at the commencement of the session, that an invitation to the congress had been accepted, and that "ministers on the part of the United States would be commissioned to attend its deliberations." In announcing this purpose, it is probable that the President regarded himself as within the ordinary limits of executive discretion. The power of nominating ambassadors and other public ministers is given by the Constitution to the President alone. No laws for the establishment of any particular missions have ever been passed, nor has any control been exercised over them by Congress beyond determining the salaries of the ministers of different ranks, and making the annual appropriations for their payment. The executive is manifestly the sole depositary of the knowledge of

the foreign relations of the country which is necessary to determine what missions ought to be established. Notwithstanding these obvious considerations and constitutional principles, the novel and anomalous character of the proposed Congress afforded a temptation to the opposition too strong to be resisted. The President's announcement formed the great point of attack during the first session of the new Congress. The confirmation of the ministers was vigorously resisted in the Senate, and the resolution declaring the expediency of making the requisite appropriations as strenuously opposed in the House. The mischiefs likely to result from the public discussion of the measure showed the wisdom of those constitutional provisions on which the President had acted. The opposition, in denying that the executive control of foreign relations is exclusive, showed at any rate that it ought to be, at least as far as it is made so by the Constitution. After a lapse of twenty-six years, we can scarcely believe that any doubt should have existed, on the part of men of judgment and discretion, that sound policy required that the United States should be present at such a general conference of the American powers; if for no other reason, to observe their movements. But all the motives for such a course could not be avowed, and of those that could, a part of the force was weakened by the avowal. The influence of the United States was impaired in order that the administration might be distressed.

The subject was discussed with great ability in both Houses. The greater portion of the senatorial debate was with closed doors. Mr. Webster's speech in the House is far the ablest of those published. It raised the question from the wretched level of party politics to the elevation of real statesmanship. It discussed the constitutional question with a clearness and power which make us wonder that it was ever raised; and it unfolded the true nature of the proposed congress, as viewed in the light of the public law. A very important topic of the speech was an explanation of the declaration of President Monroe, in his annual message of 1823, against the interposition of the governments of Europe for the purpose of enabling Spain to resubjugate her former colonial possessions on this continent. Mr. Webster pointed out the circumstances which

warranted at the time the opinion that such interposition might be attempted; and he stated the important fact, not before known, that the purpose on the part of the United States to resist it was deliberately and unanimously formed by Mr. Monroe's cabinet, consisting at that time of Messrs. Adams, Crawford, Calhoun, Southard, and Wirt. The principles assumed in the debate on the Panama mission by the friends of Messrs. Crawford and Calhoun were greatly at variance with the spirit and tendency of the declaration, as they were with what has more recently been regarded as the true Democratic doctrine in reference to the relations of the United States to her sister republics on this continent.

The speech on the Panama question was the most considerable effort made by Mr. Webster in the Nineteenth Congress. In the interval of the two sessions, in November, 1826, he was re-elected with but a show of opposition. The eulogy upon Adams and Jefferson, of which we have already spoken, was delivered in the month of August of that year. In the month of June, 1827, Mr. Webster was elected to the Senate of the United States by a large majority of the votes of the two Houses of the legislature of Massachusetts, the Hon. Mr. Mills of Northampton, who had filled that station with great ability, having declined being a candidate for re-election in consequence of ill health.[1]

The principal measure which occupied the attention of the two Houses during the first session of the Twentieth Congress was the revision of the tariff. This measure had its origin in the distressed condition of the woollen interest, which found itself deprived (partly by the effect of the repeal of the duty on wool imported into Great Britain) of that measure of protection which the tariff law of 1824 was designed to afford. An unsuccessful attempt had been made at the last session of Congress, to pass a law exclusively for the relief of the woollen manufacturers; but no law having in view the protection of any one great interest is likely to be enacted by Congress,

[1] There was some question at this time among Mr. Webster's friends whether he would not lose in influence by being transferred from the House of Representatives to the Senate. That body did not then stand as high in public opinion as it did a few years afterwards. — [W. E.]

however called for by the particular circumstances of the case. At the present session an entire revision of the tariff was attempted. Political considerations unfortunately could not be excluded from the arrangements of the bill. A majority of the two Houses was in favor of protection; but in a country so extensive as the United States, and embracing such a variety of interests, there were different views among the friends of the policy as to the articles to be protected and the amount of protection. This diversity of opinions and supposed diversity of interests enabled those wholly opposed to the principle and policy of protection, by uniting their votes on questions of detail with members who represented local interests, to render the bill objectionable in many parts to several of its friends, and to reduce them to the alternative of either voting against it, or tolerating more or less which they deemed inexpedient, and even highly injurious. Hence it received the name of the "Bill of Abominations."

The political motives alluded to caused the bill to be made as acceptable as possible to Pennsylvania and the other Middle States, and as unfavorable as possible to the leading interests of New England. The depression of the woollen manufactures had originally caused the revision of the tariff at this session. A heavy duty on the raw material was one of the features of the bill. But this was represented as due to the agricultural interest. The East, although it had now become eminently a manufacturing region, was still the seat of an active commerce, and largely concerned in the fisheries. The duty on molasses, a great article of consumption with the mariners and fishermen of the East, both in its natural form and that of cheap spirits, was doubled; but this, it was said, was required for the benefit of the grain-growers of the Middle States. Other provisions of this kind were introduced into the bill, in all cases with the assistance of the votes of its opponents, given in such a way as to render the bill as unpalatable as possible to the Northeastern manufacturers. Mr. Webster addressed the Senate, while the bill was before that body, exposing the objectionable features to which we have alluded. Believing, however, that the great article of woollens required the protection given it by the bill, and regarding the general system of

protection as the established policy of the country and of the government, and feeling that the capital which had been invited into manufactures by former acts of legislation was now entitled to be sustained against the glut of foreign markets, fraudulent invoices, and the competition of foreign labor working at starvation wages, he gave his vote for the bill, and has ever since supported the policy of moderate protection. He has been accused of inconsistency in this respect; and by none more earnestly than by the friends of Mr. Calhoun, who was one of those influential statesmen of the South by whom, in the Fourteenth Congress, the foundation of a protective tariff was laid on the corner-stone of the square-yard duty on domestic cotton fabrics. But he has been sustained by the great majority of his constituents and of the people of the Northern, Middle, and Northwestern States; and should the prospects of success be fulfilled with which manufactures have been attempted at the South, there is little doubt that she will at length perceive that her own interest would be promoted by upholding the same policy.

When the speech of Mr. Webster of 1824, in which he assigned his reasons for voting against the tariff law of that year, is carefully compared with his speech of 1828, just referred to, it will be found that there is no other diversity than that which was induced by the change in the state of the country itself in reference to its manufacturing interests, and by the course pursued in reference to the details of the bill by those opposed to protection *in toto*. It is the best proof of this, that, in the former edition of Mr. Webster's works, the two speeches were, for more easy comparison, placed side by side.

Chapter VI

Election of General Jackson. — Debate on Foot's Resolution. — Subject of the Resolution, and Objects of its Mover. — Mr. Hayne's First Speech. — Mr. Webster's original Participation in the Debate unpremeditated. — His First Speech. — Reply of Mr. Hayne with increased Asperity. — Mr. Webster's Great Speech. — Its Threefold Object. — Description of the Manner of Mr. Webster in the Delivery of this Speech, from Mr. March's "Reminiscences of Congress." — Reception of his Speech throughout the Country. — The Dinner at New York. — Chancellor Kent's Remarks. — Final Disposal of Foot's Resolution. — Report of Mr. Webster's Speech. — Mr. Healy's Painting.

In the interval between the two sessions of the Twentieth Congress, the Presidential election was decided. Mr. Adams and General Jackson were the opposing candidates; and the latter was chosen by a large popular majority. This result was brought about by the active co-operation with General Jackson's original supporters of the friends of Mr. Calhoun, and many of the friends of the other candidates of 1824. This co-operation implied the combination of the most discordant materials, which did not, however, prevent its members during the canvass from heaping the bitterest reproaches upon Mr. Adams's administration for receiving the support of Mr. Clay. That there was no cordiality among the component elements of the party by which General Jackson was elevated to the chair was soon quite apparent.

The first session of the Twenty-first Congress, that of 1829–30, is rendered memorable in the history of Mr. Webster, as well as in the parliamentary history of the country, by what has been called the debate on Foot's resolution, in which Mr. Webster delivered the speech which is usually regarded as his ablest, and which may probably with truth be pronounced the most celebrated speech ever delivered in Congress. The great importance of this effort will no doubt be considered as a sufficient reason for relating somewhat in detail the circumstances under which it was made.

The debate arose in the following manner:

On the 29th of December, 1829, Mr. Foot, one of the Senators from Connecticut, moved the following resolution: —

"*Resolved*, That the Committee on Public Lands be instructed to inquire and report the quantity of public lands remaining unsold within each State and Territory, and whether it be expedient to limit for a certain period the sales of the public lands to such lands only as have heretofore been offered for sale, and are now subject to entry at the *minimum* price. And, also, whether the office of Surveyor-General, and some of the land offices, may not be abolished without detriment to the public interest."

There is no reason to believe that, in bringing forward this resolution, Mr. Foot acted in concert with any other member of the Senate. When it came up for consideration the next day, the mover stated that he had been induced to offer the resolution from having at the last session examined the report of the Commissioner at the Land Office, from which it appeared that the quantity of land remaining unsold at the *minimum* price of one dollar and twenty-five cents per acre exceeded seventy-two millions of acres; while it appeared from the commissioner's report at this session, that the annual demand was not likely to exceed a million of acres at present, although of course it might be expected somewhat to increase with the growth of the population.

This resolution, though one of inquiry only, was resisted. It was represented by Mr. Benton of Missouri as a resolution to inquire into the expediency of committing a great injury upon the new States of the West. Mr. Holmes of Maine supported the resolution, as one of inquiry into an important subject. Mr. Foot disclaimed every purpose unfriendly to the West, and at the close of the conversation (in which Mr. Webster took no part), it was agreed that the consideration of the resolution should be postponed to the 11th of January, and made the special order of the day for that day. In this manner, it often happens that a resolution of inquiry on a business question of no urgent importance, intended to have no political bearing, and brought forward without concert with others by an individual, becomes by delay the theme of impassioned debates for weeks and months, to the serious obstruction of the real business of

Congress. In the present case, it must be admitted that the loss of the public time thus occasioned was amply made up, by the importance of the speech which has given celebrity to the debate.

The consideration of Mr. Foot's resolution was not resumed till Wednesday, the 13th of January, when it was opposed by several Western gentlemen. It was next taken up on Monday, the 18th, when Mr. Benton of Missouri spoke at length against it. On Tuesday, the 19th, Mr. Holmes of Maine replied at no great length to Mr. Benton. Other members took some part in the debate, and then Mr. Hayne of South Carolina commenced a speech, which occupied the rest of the day. Mr. Hayne was one of the younger members of the Senate. He came forward in his native State in 1814, when hardly of age, with great *éclat*, filled in rapid succession responsible offices, and came to the Senate of the United States in 1823, with a reputation already brilliant, and rapidly increasing. He was active and diligent in business, fluent, graceful, and persuasive as a debater; of a sanguine and self-relying temper; shrinking from no antagonist, and disposed to take the part of a champion.

Mr. Webster, up to this time, had not participated in the debate, which had in fact been rather a pointless affair, and was dragging its slow length through the Senate, no one knew exactly to what purpose. It had as yet assumed no character in which it invited or required his attention. He was much engaged at the time in the Supreme Court of the United States. The important case of John Jacob Astor and the State of New York, in which he was of counsel, was to come on for argument on the 20th of January; and on that day the argument of the case was in fact commenced.* Leaving the court-room when the court adjourned on Tuesday, the 19th, Mr. Webster came into the Senate in season to hear the greater part of Mr. Hayne's speech; and it was suggested to him by several friends, and among others by Mr. Bell of New Hampshire, Mr. Chambers of Maryland, and his colleague, Mr. Silsbee, that an immediate answer to Mr. Hayne was due from him. The line of discussion pursued by the Senator from South Carolina was such as

* This case is known as that of Carver's Lessees against John Jacob Astor, and is reported in 4 Peters, 1.

to require, if not to provoke, an immediate answer from the North. Mr. Webster accordingly rose when Mr. Hayne took his seat, but gave way to a motion for adjournment from Mr. Benton. These circumstances will sufficiently show how entirely without premeditation, and with what preoccupation by other trains of thought, Mr. Webster was led into this great intellectual conflict.

He appeared in the Senate the next morning, Wednesday, January 20th, and Mr. Foot's resolution, being called up, was modified, on the suggestion of Messrs. Sprague of Maine and Woodbury of New Hampshire, by adding the following clause:—

"Or whether it be expedient to adopt measures to hasten the sales and extend more rapidly the surveys of the public lands."

Mr. Webster immediately proceeded with the debate. No elaborate preparation, of course, could have been made by him, as the speech of Mr. Hayne, to which his reply was mainly directed, was delivered the day before. He vindicated the government, under its successive administrations, from the general charge of having managed the public lands in a spirit of hostility to the Western States. He particularly defended New England against the accusation of hostility to the West. A passage in this part of his speech, contrasting Ohio as she was in 1794 with the Ohio of 1830, will compare advantageously with anything in these volumes. In speaking of the settlement of the West, Mr. Webster introduced with just commendation the honored name of Nathan Dane, as the author of the Ordinance of 1787, for the organization and government of the territory northwest of the Ohio. He maintained that every measure of legislation beneficial to the West had been carried in Congress by the aid of New England votes, and he closed by an allusion to his own course as uniformly friendly to that part of the Union. Mr. Benton followed Mr. Webster, and commenced a speech in reply.

The next day, Thursday, the 21st, the subject again came up, and it was now evident that the debate had put on a new character. Its real interest and importance were felt to be commencing. Mr. Chambers expressed the hope that the Senate would consent to postpone the further consideration of the reso-

lution till the next Monday, as Mr. Webster, who had engaged in the discussion and wished to be present when it should be resumed, had pressing engagements out of the House, and could not conveniently give his attendance in the Senate before Monday.* Mr. Hayne said "he saw the gentleman from Massachusetts in his seat, and presumed he could make an arrangement which would enable him to be present here, during the discussion to-day. He was unwilling that this subject should be postponed before he had an opportunity of replying to some of the observations which had fallen from that gentleman yesterday. He would not deny that some things had fallen from him which rankled † here (touching his breast), from which he would desire at once to relieve himself. The gentleman had discharged his fire in the presence of the Senate. He hoped he would now afford him an opportunity of returning the shot."

The manner in which this was said was not such as to soften the harshness of the sentiment. It will be difficult, in reverting to Mr. Webster's speech, to find either in its substance or spirit any adequate grounds for the feeling manifested by Mr. Hayne. Nor would it probably be easy in the history of Congress to find another case in which a similar act of accommodation in the way of postponing a subject has been refused, at least on such a ground. Mr. Webster, in reply to Mr. Hayne's remark, that he wished without delay to return his shot, said, "Let the discussion proceed; I am ready now to receive the gentleman's fire."

Mr. Benton then addressed the Senate for about an hour, in conclusion of the speech which he had commenced the day before. At the close of Mr. Benton's argument, Mr. Bell of New Hampshire moved that the further consideration of the subject should be postponed till Monday, but the motion was negatived. Mr. Hayne then took the floor, and spoke for about an hour in reply to Mr. Webster's remarks of the preceding day. Before he had concluded his argument, the Senate adjourned till Monday. On that day, January the 25th, he spoke for two hours and a half, and completed his speech. Mr. Webster im-

* Mr. Chambers referred to the case in court just mentioned, in which Mr. Webster was engaged, and in which the argument had already begun.

† Mr. Hayne subsequently disclaimed having used this word.

mediately rose to reply, but the day was far advanced, and he yielded to a motion for adjournment.

The second speech of Mr. Hayne, to which Mr. Webster was now called upon to reply, was still more strongly characterized than the first with severity, not to say bitterness, toward the Eastern States. The tone toward Mr. Webster personally was not courteous. It bordered on the offensive. It was difficult not to find in both of the speeches of the Senator from South Carolina the indication of a preconceived purpose to hold up New England, and Mr. Webster as her most distinguished representative, to public odium. In his second speech, Mr. Hayne reaffirmed and urged those constitutional opinions which are usually known as the doctrines of Nullification; that is to say, the assumed right of a State, when she deems herself oppressed by an unconstitutional act of Congress, to declare by State ordinance the act of Congress null and void, and discharge the citizens of the State from the duty of obedience.

Such being the character of Mr. Hayne's speech, Mr. Webster had three objects to accomplish in his answer. The first was to repel the personalities toward himself, which formed one of the most prominent features of Mr. Hayne's speech. This object was accomplished by a few retaliatory strokes, in which the severest sarcasm was so mingled with unaffected good humor and manly expostulation, as to carry captive the sympathy of the audience. The vindication of the Eastern States generally, and of Massachusetts in particular, was the second object, and was pursued in a still higher strain. When it was finished, no one probably regretted more keenly than the accomplished antagonist the easy credence which he had lent to the purveyors of forgotten scandal, some of whom were present, and felt grateful for their obscurity.

The third and far the more important object with Mr. Webster was the constitutional argument, in which he asserted the character of our political system as a government established by the people of the United States, in contradistinction to a compact between the separate States; and exposed the fallacy of attempting to turn the natural right of revolution against the government into a right reserved under the Constitution to overturn the government itself.

Several chapters of the interesting work of Mr. March, already referred to,* are devoted to the subject of this debate; and we have thought that we could in no way convey to the reader so just and distinct an impression of the effect of Mr. Webster's speech at the time of its delivery, as by borrowing largely from his animated pages.

"It was on Tuesday, January the 26th, 1830, — a day to be hereafter for ever memorable in Senatorial annals, — that the Senate resumed the consideration of Foot's resolution. There never was before, in the city, an occasion of so much excitement. To witness this great intellectual contest, multitudes of strangers had for two or three days previous been rushing into the city, and the hotels overflowed. As early as 9 o'clock of this morning, crowds poured into the Capitol, in hot haste; at 12 o'clock, the hour of meeting, the Senate-chamber — its galleries, floor, and even lobbies — was filled to its utmost capacity. The very stairways were dark with men, who clung to one another, like bees in a swarm.

"The House of Representatives was early deserted. An adjournment would have hardly made it emptier. The Speaker, it is true, retained his chair, but no business of moment was, or could be, attended to. Members all rushed in to hear Mr. Webster, and no call of the House or other parliamentary proceedings could compel them back. The floor of the Senate was so densely crowded, that persons once in could not get out, nor change their position; in the rear of the Vice-Presidential chair, the crowd was particularly intense. Dixon H. Lewis, then a Representative from Alabama, became wedged in here. From his enormous size, it was impossible for him to move without displacing a vast portion of the multitude. Unfortunately, too, for him, he was jammed in directly behind the chair of the Vice-President, where he could not see, and hardly hear, the speaker. By slow and laborious effort, pausing occasionally to breathe, he gained one of the windows, which, constructed of painted glass, flank the chair of the Vice-President on either side. Here he paused, unable to make more headway. But determined to see Mr. Webster as he spoke, with his knife he made a large hole in one of the panes of the glass; which is still visible as he made it. Many were so placed as not to be able to see the speaker at all.

"The courtesy of Senators accorded to the fairer sex room on

* Reminiscences of Congress.

the floor, — the most gallant of them, their own seats. The gay bonnets and brilliant dresses threw a varied and picturesque beauty over the scene, softening and embellishing it.

"Seldom, if ever, has speaker in this or any other country had more powerful incentives to exertion; a subject, the determination of which involved the most important interests, and even duration, of the republic; competitors, unequalled in reputation, ability, or position; a name to make still more glorious, or lose for ever; and an audience, comprising not only persons of this country most eminent in intellectual greatness, but representatives of other nations, where the art of eloquence had flourished for ages. All the soldier seeks in opportunity was here.

"Mr. Webster perceived, and felt equal to, the destinies of the moment. The very greatness of the hazard exhilarated him. His spirits rose with the occasion. He awaited the time of onset with a stern and impatient joy. He felt like the war-horse of the Scriptures, who 'paweth in the valley, and rejoiceth in his strength: who goeth on to meet the armed men, — who saith among the trumpets, Ha, ha! and who smelleth the battle afar off, the thunder of the captains and the shouting.'

"A confidence in his own resources, springing from no vain estimate of his power, but the legitimate offspring of previous severe mental discipline, sustained and excited him. He had gauged his opponents, his subject, and *himself*.

"He was, too, at this period, in the very prime of manhood. He had reached middle age, — an era in the life of man when the faculties, physical or intellectual, may be supposed to attain their fullest organization and most perfect development. Whatever there was in him of intellectual energy and vitality, the occasion, his full life, and high ambition might well bring forth.

"He never rose on an ordinary occasion to address an ordinary audience more self-possessed. There was no tremulousness in his voice nor manner; nothing hurried, nothing simulated. The calmness of superior strength was visible everywhere; in countenance, voice, and bearing. A deep-seated conviction of the extraordinary character of the emergency, and of his ability to control it, seemed to possess him wholly. If an observer, more than ordinarily keen-sighted, detected at times something like exultation in his eye, he presumed it sprang from the excitement of the moment, and the anticipation of victory.

"The anxiety to hear the speech was so intense, irrepressible, and universal, that no sooner had the Vice-President assumed the

chair, than a motion was made, and unanimously carried, to postpone the ordinary preliminaries of Senatorial action, and to take up immediately the consideration of the resolution.

"Mr. Webster rose and addressed the Senate. His exordium is known by heart everywhere: 'Mr. President, when the mariner has been tossed, for many days, in thick weather, and on an unknown sea, he naturally avails himself of the first pause in the storm, the earliest glance of the sun, to take his latitude, and ascertain how far the elements have driven him from his true course. Let us imitate this prudence, and, before we float farther on the waves of this debate, refer to the point from which we departed, that we may at least be able to conjecture where we now are. I ask for the reading of the resolution before the Senate.'

"There wanted no more to enchain the attention. There was a spontaneous, though silent, expression of eager approbation, as the orator concluded these opening remarks. And while the clerk read the resolution, many attempted the impossibility of getting nearer the speaker. Every head was inclined closer towards him, every ear turned in the direction of his voice, and that deep, sudden, mysterious silence followed, which always attends fulness of emotion. From the sea of upturned faces before him, the orator beheld his thoughts reflected as from a mirror. The varying countenance, the suffused eye, the earnest smile, the ever-attentive look, assured him of his audience's entire sympathy. If among his hearers there were those who affected at first an indifference to his glowing thoughts and fervent periods, the difficult mask was soon laid aside, and profound, undisguised, devoted attention followed. In the earlier part of his speech, one of his principal opponents seemed deeply engrossed in the careful perusal of a newspaper he held before his face; but this, on nearer approach, proved to be *upside down*. In truth, all, sooner or later, voluntarily, or in spite of themselves, were wholly carried away by the eloquence of the orator.

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"Those who had doubted Mr. Webster's ability to cope with and overcome his opponents were fully satisfied of their error before he had proceeded far in his speech. Their fears soon took another direction. When they heard his sentences of powerful thought, towering in accumulative grandeur, one above the other, as if the orator strove, Titan-like, to reach the very heavens themselves, they were giddy with an apprehension that he would break down in his flight. They dared not believe that genius, learning,

and intellectual endowment however uncommon, that was simply mortal, could sustain itself long in a career seemingly so perilous. They feared an Icarian fall.

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"What New England heart was there but throbbed with vehement, tumultuous, irrepressible emotion, as he dwelt upon New England sufferings, New England struggles, and New England triumphs during the war of the Revolution? There was scarcely a dry eye in the Senate; all hearts were overcome; grave judges and men grown old in dignified life turned aside their heads, to conceal the evidences of their emotion.

"In one corner of the gallery was clustered a group of Massachusetts men. They had hung from the first moment upon the words of the speaker, with feelings variously but always warmly excited, deepening in intensity as he proceeded. At first, while the orator was going through his exordium, they held their breath and hid their faces, mindful of the savage attack upon him and New England, and the fearful odds against him, her champion; — as he went deeper into his speech, they felt easier; when he turned Hayne's flank on Banquo's ghost, they breathed freer and deeper. But now, as he alluded to Massachusetts, their feelings were strained to the highest tension; and when the orator, concluding his encomium of the land of their birth, turned, intentionally or otherwise, his burning eye full upon them, *they shed tears like girls!*

"No one who was not present can understand the excitement of the scene. No one who was, can give an adequate description of it. No word-painting can convey the deep, intense enthusiasm, the reverential attention, of that vast assembly, nor limner transfer to canvas their earnest, eager, awe-struck countenances. Though language were as subtile and flexible as thought, it still would be impossible to represent the full idea of the scene. There is something intangible in an emotion, which cannot be transferred. The nicer shades of feeling elude pursuit. Every description, therefore, of the occasion, seems to the narrator himself most tame, spiritless, unjust.

"Much of the instantaneous effect of the speech arose, of course, from the orator's delivery, — the tones of his voice, his countenance, and manner. These die mostly with the occasion that calls them forth; the impression is lost in the attempt at transmission from one mind to another. They can only be described in general terms. 'Of the effectiveness of Mr. Webster's manner in many parts,' says Mr. Everett, 'it would be in vain to attempt to give any one

not present the faintest idea. It has been my fortune to hear some of the ablest speeches of the greatest living orators on both sides of the water, but I must confess I never heard anything which so completely realized my conception of what Demosthenes was when he delivered the Oration for the Crown.'

. . . . .

"The variety of incident during the speech, and the rapid fluctuation of passions, kept the audience in continual expectation and ceaseless agitation. There was no chord of the heart the orator did not strike, as with a master-hand. The speech was a complete drama of comic and pathetic scenes; one varied excitement; laughter and tears gaining alternate victory.

"A great portion of the speech is strictly argumentative; an exposition of constitutional law. But grave as such portion necessarily is, severely logical, abounding in no fancy or episode, it engrossed throughout the undivided attention of every intelligent hearer. Abstractions, under the glowing genius of the orator, acquired a beauty, a vitality, a power to thrill the blood and enkindle the affections, awakening into earnest activity many a dormant faculty. His ponderous syllables had an energy, a vehemence of meaning in them, that fascinated, while they startled. His thoughts in their statuesque beauty merely would have gained all critical judgment; but he realized the antique fable, and warmed the marble into life. There was a sense of power in his language, — of power withheld and suggestive of still greater power, — that subdued, as by a spell of mystery, the hearts of all. For power, whether intellectual or physical, produces in its earnest development a feeling closely allied to awe. It was never more felt than on this occasion. It had entire mastery. The sex which is said to love it best, and abuse it most, seemed as much or more carried away than the sterner one. Many who had entered the hall with light, gay thoughts, anticipating at most a pleasurable excitement, soon became deeply interested in the speaker and his subject; surrendered him their entire heart; and when the speech was over, and they left the hall, it was with sadder, perhaps, but surely with far more elevated and ennobling emotions.

"The exulting rush of feeling with which he went through the peroration threw a glow over his countenance, like inspiration. Eye, brow, each feature, every line of the face, seemed touched, as with a celestial fire.

"The swell and roll of his voice struck upon the ears of the spellbound audience, in deep and melodious cadence, as waves upon

the shore of the 'far-resounding' sea. The Miltonic grandeur of his words was the fit expression of his thought, and raised his hearers up to his theme. His voice, exerted to its utmost power, penetrated every recess or corner of the Senate, — penetrated even the ante-rooms and stairways, as he pronounced in deepest tones of pathos these words of solemn significance: 'When my eyes shall be turned to behold, for the last time, the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union; on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood! Let their last feeble and lingering glance rather behold the gorgeous ensign of the republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, nor a single star obscured, bearing for its motto, no such miserable interrogatory as, "What is all this worth?" nor those other words of delusion and folly, "Liberty first and Union afterwards"; but everywhere, spread all over in characters of living light, blazing on all its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every American heart, — LIBERTY AND UNION, NOW AND FOR EVER, ONE AND INSEPARABLE!'

"The speech was over, but the tones of the orator still lingered upon the ear, and the audience, unconscious of the close, retained their positions. The agitated countenance, the heaving breast, the suffused eye, attested the continued influence of the spell upon them. Hands that, in the excitement of the moment, had sought each other, still remained closed in an unconscious grasp. Eye still turned to eye, to receive and repay mutual sympathy; and everywhere around seemed forgetfulness of all but the orator's presence and words." — pp. 132–148.

After having spoken about three hours on the 26th of January, Mr. Webster gave way for an adjournment. He resumed and concluded the speech on the following day.[1] During most of the time that he was speaking, Mr. Hayne occupied himself in taking notes, and rose to reply at the conclusion of Mr. Webster's argument. An adjournment was proposed by one of Mr.

[1] This fact, that Mr. Webster's great speech was broken off and resumed, though an additional testimonial to his power of holding an audience, is not mentioned by Mr. March and seems generally unknown. — [W. E.]

Hayne's friends, but he wisely determined to terminate all that he intended to say on the subject upon the spot. He accordingly addressed the Senate for about half an hour upon the constitutional question which formed the most important portion of Mr. Webster's speech. These remarks of Mr. Hayne were, in the newspaper report, expanded into an elaborate argument, which occupies nineteen pages in the register of Congressional debates. When Mr. Hayne sat down, Mr. Webster, in turn, rose to make a brief rejoinder. "The gentleman," said he, "has in vain attempted to reconstruct his shattered argument"; and this formidable exordium was followed up by a brief restatement of his own argument, which, for condensation, precision, and force, may be referred to as a specimen of parliamentary logic never surpassed. The art of reasoning on moral questions can go no further.

Thus terminated the day's great work. In the evening the Senatorial champions met at a friend's house, and exchanged those courteous salutations which mitigate the asperity of political collision, and prevent the conflicts of party from embittering social life.

The sensation produced by the great debate on those who heard it was but the earnest of its effect on the country at large. The length of Mr. Webster's speech did not prevent its being copied into the leading newspapers throughout the country. It was the universal theme of conversation. Letters of acknowledgment and congratulation from the most distinguished individuals, from politicians retired from active life, from entire strangers, from persons not sympathizing with all Mr. Webster's views, from distant parts of the Union, were addressed to him by every mail. Immense editions of the speech in a pamphlet form were called for. A proposal was made to the friends of Mr. Hayne to unite in the publication of a joint edition of the two speeches for general circulation throughout the country, but this offer was declined. Mr. Webster's friends in Boston published a pamphlet edition of the speeches of Mr. Hayne and Mr. Webster. It is no exaggeration to say, that throughout the country Mr. Webster's speech was regarded, not only as a brilliant and successful personal defence and a triumphant vindication of New England, but as

a complete overthrow of the dangerous constitutional heresies which had menaced the stability of the Union.

In this light it was looked upon by a large number of the most distinguished citizens of New York, who took occasion to offer Mr. Webster the compliment of a public dinner the following winter. Circumstances delayed the execution of their purpose till some time had elapsed from the delivery of the speech, but the recollection of it was vivid, and it was referred to by Chancellor Kent, the president of the day, as the service especially demanding the grateful recognition of the country. After alluding to the debate on Foot's resolution and to the character of Mr. Webster's speech, the venerable Chancellor added : —

"The consequences of that discussion have been extremely beneficial. It turned the attention of the public to the great doctrines of national rights and national union. Constitutional law ceased to remain wrapped up in the breasts, and taught only by the responses, of the living oracles of the law. Socrates was said to have drawn down philosophy from the skies, and scattered it among the schools. It may with equal truth be said that constitutional law, by means of those senatorial discussions and the master genius that guided them, was rescued from the archives of our tribunals and the libraries of our lawyers, and placed under the eye and submitted to the judgment of the American people. *Their verdict is with us, and from it there lies no appeal.*" *

With respect to Mr. Foot's resolution it may be observed, that it continued before the Senate a long time, a standing subject of discussion. One half at least of the members of the Senate took part in the debate, which daily assumed a wider range and wandered farther from the starting-point. Many speeches were made which, under other circumstances, would have attracted notice, but the interest of the controversy expired with the great effort of the 26th and 27th of January. At length, on the 21st of May, a motion for indefinite postponement, submitted by Mr. Webster at the close of his first speech, prevailed, and thus the whole discussion ended.

It may be worthy of remark, that Mr. Webster's speech was

* Chancellor Kent's remarks are given entire in the introduction to Mr. Webster's Speech at the New York Dinner, Vol. I. p. 194.

taken in short-hand by Mr. Gales, the veteran editor of the National Intelligencer, a stenographer of great experience and skill. It was written out in common hand by a member of his family, and sent to Mr. Webster for correction. It remained in his hands for that purpose a part of one day, and then went to the press.[1]

A young and gifted American artist,* whose talents had been largely put in requisition by King Louis Philippe to adorn the walls of Versailles, conceived a few years ago the happy idea of a grand historical picture of this debate. On a canvas of the largest size he has nobly delineated the person of the principal individual in the act of replying to Mr. Hayne, with those of his colleagues in the Senate. The passages and galleries of the Senate-chamber are filled with attentive listeners of both sexes. Above a hundred accurate studies from life give authenticity to a work in which posterity will find the sensible presentment of this great intellectual effort.[2]

* Mr. Geo. P. A. Healy.

[1] The report, with Mr. Webster's corrections, is now in the possession of the Boston Public Library.

[2] This picture is now in Faneuil Hall, the property of the City of Boston. — [W. E.]

Chapter VII

General Character of President Jackson's Administrations. — Speedy Discord among the Parties which had united for his Elevation. — Mr. Webster's Relations to the Administration. — Veto of the Bank. — Rise and Progress of Nullification in South Carolina. — The Force Bill, and the Reliance of General Jackson's Administration on Mr. Webster's Aid. — His Speech in Defence of the Bill, and in Opposition to Mr. Calhoun's Resolutions. — Mr. Madison's Letter on Secession. — The Removal of the Deposits. — Motives for that Measure. — The Resolution of the Senate disapproving it. — The President's Protest. — Mr. Webster's Speech on the Subject of the Protest. — Opinions of Chancellor Kent and Mr. Tazewell. — The Expunging Resolution. — Mr. Webster's Protest against it. — Mr. Van Buren's Election. — The Financial Crisis and the Extra Session of Congress. — The Government Plan of Finance supported by Mr. Calhoun and opposed by Mr. Webster. — Personalities. — Mr. Webster's Visit to Europe and distinguished Reception. — The Presidential Canvass of 1840. — Election of General Harrison.

It would require a volume of ample dimensions to relate the history of Mr. Webster's Senatorial career from this time till the accession of General Harrison to the Presidency, in 1841. In this interval the government was administered for two successive terms by General Jackson, and for a single term by Mr. Van Buren. It was a period filled with incidents of great importance in various departments of the government, often of a startling character at the time, and not less frequently exerting a permanent influence on the condition of the country. It may be stated as the general characteristic of the political tendencies of this period, that there was a decided weakening of respect for constitutional restraint. Vague ideas of executive discretion prevailed on the one hand in the interpretation of the Constitution, and of popular sovereignty on the other, as represented by a President elevated to office by overwhelming majorities of the people. The expulsion of the Indian tribes from the Southern States, in violation of the faith of treaties and in open disregard of the opinion of the Supreme Court of the United States as to their obligation; the claim of a right on the part of a State to nullify an act of the general govern-

ment; the violation of the charter of the bank, and the Presidential veto of the act of Congress rechartering it; the deposit of the public money in the selected State banks with a view to its safe keeping and for the greater encouragement of trade by the loan of the public funds; the explosion of this system, and the adoption of one directly opposed to it, which rejected wholly the aid of the banks and denied the right of the government to employ the public funds for any but fiscal purposes; the executive menaces of war against France; the unsuccessful attempt of Mr. Van Buren's administration to carry on the government upon General Jackson's system; the panic of 1837, succeeded by the general uprising of the country and the universal demand for a change of men and measures, — these are the leading incidents in the chronicle of the period in question. Most of the events referred to are discussed in the following volumes. On some of them Mr. Webster put forth all his power. The questions pertaining to the construction of the Constitution, to the bank, to the veto power, to the currency, to the constitutionality of the tariff, to the right of removal from office, and to the finances, were discussed in almost every conceivable form, and with every variety of argument and illustration.

It has already been observed, that General Jackson was brought into power by a somewhat ill-compacted alliance between his original friends and a portion of the friends of the other candidates of 1824. As far as Mr. Calhoun and his followers were concerned, the cordiality of the union was gone before the inauguration of the new President. There was not only on the list of the cabinet to be appointed no adequate representative of the Vice-President, but his rival candidate for the succession (Mr. Van Buren) was placed at the head of the administration. There is reason to suppose that General Jackson, who, though his policy tended greatly to impair the strength of the Union, was in feeling a warm Unionist, witnessed with no dissatisfaction the result of the great constitutional debate and its influence upon the country.

But the effect of this debate on the friendly relations of Mr. Webster with the administration was in some degree neutralized by the incidents of the second session of the Twenty-first Congress. Mr. Van Buren had retreated before the

embarrassments of the position in which he found himself in the Department of State, and had accepted the mission to England. The instructions which he had given to Mr. McLane in 1829, in reference to the adjustment of the question relative to the colonial trade, were deemed highly objectionable by a majority of the Senate, as bringing the relations of our domestic parties to the notice of a foreign government, and founding upon a change of administration an argument for the concession of what was deemed and called "a boon" by the British government. In order to mark the spirit of these instructions with the disapprobation of the Senate, the nomination of Mr. Van Buren as Minister to England was negatived by a majority of that body. While the subject was under discussion, Mr. Clay, Mr. Webster, and Mr. Calhoun took the same view of this delicate question. It will be found treated in the speech of Mr. Webster of the 24th of January, 1832, with all the gravity, temper, and moderation which its importance demanded.

In the Twenty-second Congress (the second of General Jackson's administration) the bank question became prominent. General Jackson had in his first message called the attention of Congress to the subject of the bank. No doubt of its constitutionality was then intimated by him. In the course of a year or two an attempt was made, on the part of the executive, to control the appointment of the officers of one of the Eastern branches. This attempt was resisted by the bank, and from that time forward a state of warfare, at first partially disguised, but finally open and flagrant, existed between the government and the directors of the institution. In the first session of the Twenty-second Congress (1831–32), a bill was introduced by Mr. Dallas, and passed the two Houses, to renew the charter of the bank. This measure was supported by Mr. Webster, on the ground of the importance of a national bank to the fiscal operations of the government, and to the currency, exchange, and general business of the country. No specific complaints of mismanagement had then been made, nor were any abuses alleged to exist. The bank was, almost without exception, popular at that time with the business interests of the country and particularly at the South and West. Its credit in England

was solid; its bills and drafts on London took the place of specie for remittances to India and China. Its convenience and usefulness were recognized in the report of the Secretary of the Treasury (Mr. McLane), at the same time that its constitutionality was questioned and its existence threatened by the President. So completely, however, was the policy of General Jackson's administration the impulse of his own feelings and individual impressions, and so imperfectly had these been disclosed on the present occasion, that the fate of the bill for rechartering the bank was a matter of uncertainty on the part both of adherents and opponents. Many persons on both sides of the two Houses were taken by surprise by the veto. When the same question was to be decided by General Washington, he took the opinion in writing of every member of the Cabinet.

But events of a different complexion soon occurred, and gave a new direction to the thoughts of men throughout the country. The opposition of South Carolina to the protective policy had been pushed to a point of excitement at which it was beyond the control of party leaders. Although, as we have seen, that policy had in 1816 been established by the aid of distinguished statesmen of South Carolina, who saw in the success of American cotton manufactures a new market for the staple of the South, in which it would take the place of the cotton of India, the protective policy at a later period had come to be generally considered unconstitutional at the South. A change of opinion somewhat similar had taken place in New England, which had been originally opposed to this policy, as adverse to the commercial and navigating interests. Experience gradually showed that such was not the case. The enactment of the law of 1824 was considered as establishing the general principle of protection as the policy of the country. It was known to be the policy of the great central States. The capital of the North was to some extent forced into new channels. Some branches of manufactures flourished, as skill was acquired and improvements in machinery made. The coarse cotton fabrics which had enjoyed the protection of the *minimum* duty prospered, manufacturing villages grew up, the price of the fabric fell, and as competition increased the tariff did little

more than protect the domestic manufacturer from fraudulent invoices and the fluctuation of foreign markets. Thus all parties were benefited, not excepting the South, which gained a new customer for her staple. These changes in the condition of things led Mr. Webster, as we have remarked in a former chapter, to modify his course on the tariff question.

Unfortunately, no manufactures had been established at the South. The vast quantities of new and fertile land opened in the west of Georgia, in Alabama, and Mississippi, injured the value of the old and partly exhausted lands of the Atlantic States. Labor was drawn off to found plantations in the new States, and the injurious consequences were ascribed to the tariff. Considerations of a political nature had entirely changed the tolerant feeling which, up to a certain period, had been shown by one class of Southern politicians toward the protective policy. With the exception of Louisiana, and one or two votes in Virginia, the whole South was united against the tariff. South Carolina had suffered most by the inability of her worn lands to sustain the competition with the lands of the Yazoo and the Red River, and to her the most active opposition, under the lead of Mr. Calhoun, was confined. The modern doctrine of nullification was broached by her accomplished statesmen, and an unsuccessful attempt made to deduce it from the Virginia resolutions of 1798. Mr. Madison, in a letter addressed to the writer of these pages,* in August, 1830, firmly resisted this attempt; and, as a theory, the whole doctrine of nullification was overthrown by Mr. Webster, in his speech of the 26th of January, 1830. But public sentiment had gone too far in South Carolina to be checked; party leaders were too deeply committed to retreat; and at the close of 1832 the ordinance of nullification was adopted by a State convention.

This decisive act roused the hero of New Orleans from the vigilant repose with which he had watched the coming storm. Confidential orders to hold themselves in readiness for active service were sent in every direction to the officers of the army and the navy. Prudent and resolute men were quietly stationed at the proper posts. Arms and munitions in abundance were held in readiness, and a chain of expresses in advance of the

* North American Review, Vol. XXXI. p. 537.

mail was established from the Capitol to Charleston. These preparations made, the Presidential proclamation of the 11th of December, 1832, was issued. It was written by Mr. Edward Livingston, then Secretary of State, from notes furnished by General Jackson himself; but there is not an idea of importance in it which may not be found in Mr. Webster's speech on Foot's resolution.

The proclamation of the President was met by the counter-proclamation of Governor Hayne; and the State of South Carolina proceeded to pass laws for carrying the ordinance of nullification into effect, and for putting the State into a condition to carry on war with the general government. In this posture of affairs the President of the United States laid the matter before Congress, in his message of the 16th of January, 1833, and the bill "further to provide for the collection of duties on imports" was introduced into the Senate, in pursuance of his recommendations. Mr. Calhoun was at this time a member of that body, having been chosen to succeed Governor Hayne, and having of course resigned the office of Vice-President. Thus called, for the first time, to sustain in person before the Senate and the country the policy of nullification, which had been adopted by South Carolina mainly under his influence, and which was now threatening the Union, it hardly need be said that he exerted all his ability, and put forth all his resources, in defence of the doctrine which had brought his State to the verge of revolution. It is but justice to add, that he met the occasion with equal courage and vigor. The bill "to make further provision for the collection of the revenue," or "Force Bill," as it was called, was reported by Mr. Wilkins from the Committee on the Judiciary on the 21st of January, and on the following day Mr. Calhoun moved a series of resolutions, affirming the right of a State to annul, as far as her citizens are concerned, any act of Congress which she may deem oppressive and unconstitutional. On the 15th and 16th of February, he spoke at length in opposition to the bill, and in development and support of his resolutions. On this occasion the doctrine of nullification was sustained by him with far greater ability than it had been by General Hayne, and in a speech which we believe is regarded as Mr. Calhoun's most powerful effort. In closing

his speech, Mr. Calhoun challenged the opponents of his doctrines to disprove them, and warned them, in the concluding sentence, that the principles they might advance would be subjected to the revision of posterity.*

Mr. Webster, before Mr. Calhoun had resumed his seat, or he had risen from his own, accepted the challenge, and commenced his reply. He began to speak as he was rising, and continued to address the Senate with great force and effect, for about two hours. The Senate then took a recess, and after it came together Mr. Webster spoke again, from five o'clock till eight in the evening. The speech was more purely a constitutional argument than that of the 26th of January, 1830. It was mainly devoted to an examination of Mr. Calhoun's resolutions; to a review of the adoption and ratification of the Constitution of the United States, by way of elucidating the question whether the system provided by the Constitution is a government of the people or a compact between the States; and to a discussion of the constitutionality of the tariff. It was less various and discursive in its matter than the speech on Foot's resolution, but more condensed and systematic. Inferior, perhaps, in interest for a mixed audience, from the absence of personal allusions, which at all times give the greatest piquancy to debate, a severe judgment might pronounce it a finer piece of parliamentary logic. Nor must it be inferred from this description that it was destitute of present interest. The Senate-chamber was thronged to its utmost capacity, both before and after the recess, although the streets of Washington, owing to the state of the weather at the time, were nearly impassable.

The opinion entertained of this speech by the individual who, of all the people of America, was the best qualified to estimate its value, may be seen from the following letter of Mr. Madison, which has never before been published.

"*Montpellier, March 15th*, 1833.

"My dear Sir: — I return my thanks for the copy of your late very powerful speech in the Senate of the United States. It crushes 'nullification,' and must hasten an abandonment of 'seces-

* This passage does not appear in the report preserved in the volume containing his Select Speeches.

sion.' But this dodges the blow, by confounding the claim to secede at will with the right of seceding from intolerable oppression. The former answers itself, being a violation without cause of a faith solemnly pledged. The latter is another name only for revolution, about which there is no theoretic controversy. Its double aspect, nevertheless, with the countenance received from certain quarters, is giving it a popular currency here, which may influence the approaching elections both for Congress and for the State legislature. It has gained some advantage also by mixing itself with the question, whether the Constitution of the United States was formed by the people or by the States, now under a theoretic discussion by animated partisans.

"It is fortunate when disputed theories can be decided by undisputed facts, and here the undisputed fact is, that the Constitution was made by the people, but as embodied into the several States who were parties to it, and therefore made by the States in their highest authoritative capacity. They might, by the same authority, and by the same process, have converted the confederacy into a mere league or treaty, or continued it with enlarged or abridged powers; or have embodied the people of their respective States into one people, nation, or sovereignty; or, as they did, by a mixed form, make them one people, nation, or sovereignty for certain purposes, and not so for others.

"The Constitution of the United States, being established by a competent authority, by that of the sovereign people of the several States who were parties to it, it remains only to inquire what the Constitution is; and here it speaks for itself. It organizes a government into the usual legislative, executive, and judiciary departments; invests it with specified powers, leaving others to the parties to the Constitution. It makes the government like other governments to operate directly on the people; places at its command the needful physical means of executing its powers; and finally proclaims its supremacy, and that of the laws made in pursuance of it, over the constitutions and laws of the States, the powers of the government being exercised, as in other elective and responsible governments, under the control of its constituents, the people and the legislatures of the States, and subject to the revolutionary rights of the people, in extreme cases.

"Such is the Constitution of the United States *de jure* and *de facto*, and the name, whatever it be, that may be given to it can make it nothing more or less than what it is.

"Pardon this hasty effusion, which, whether precisely according or not with your ideas, presents, I am aware, none that will be new to you.

"With great esteem and cordial salutations,

"JAMES MADISON.

"MR. WEBSTER."

It may be observed, in reference to the closing remark in the above important letter, that the view which it presents of the nature of the government established by the Constitution is precisely that taken by Mr. Webster in the various speeches in which the subject is discussed by him.

The President of the United States felt the importance of Mr. Webster's aid in the great constitutional struggle of the session. There were men of great ability enlisted in support of his administration, Messrs. Forsyth, Grundy, Dallas, Rives, and others, but no one competent to assume the post of antagonist to the great Southern leader. The general political position of Mr. Webster made it in no degree his duty to sustain the administration in any party measure, but the reverse. But his whole course as a public man, and all his principles, forbade him to act from party motives in a great crisis of the country's fortunes. The administration was now engaged in a fearful struggle for the preservation of the Union, and the integrity of the Constitution. The doctrines of the proclamation were the doctrines of his speech on Foot's resolution almost to the words. He would have been unjust to his most cherished principles and his views of public duty had he not come to the rescue, not of the administration, but of the country, in this hour of her peril. His aid was personally solicited in the great debate on the "Force Bill" by a member of the Cabinet, but it was not granted till the bill had undergone important amendments suggested by him, when it was given cordially, without stint and without condition.*

* It is not wholly unworthy of remark in this place, as illustrating the dependence on Mr. Webster's aid which was felt at the White House, that, on the day of his reply to Mr. Calhoun, the President's carriage was sent to Mr. Webster's lodgings, as was supposed with a message borne by the President's private secretary. Happening to be still at the door when Mr. Webster was about to go to the Capitol, it conveyed him to the Senate-chamber.

In the recess of Congress in the year 1833, Mr. Webster made a short journey to the Middle States and the West. He was everywhere the object of the most distinguished and respectful attentions. Public receptions took place at Buffalo and Pittsburg, where, under the auspices of committees of the highest respectability, he addressed immense assemblages convened without distinction of party. Invitations to similar meetings reached him from many quarters, which he was obliged by want of leisure to decline.

The friendly relations into which Mr. Webster had been drawn with the President, and the enthusiastic welcome given to the President on his tour to the East, in the summer of 1833, awakened jealousy in certain quarters. It was believed at the time, by well-informed persons, that among the motives which actuated some persons in General Jackson's confidence, in fanning his hostility to the Bank of the United States, was that of bringing forward a question of great interest both to the public and the President, on which he would be sure to encounter Mr. Webster's opposition.

Such a subject was the removal of the deposits of the public moneys from the Bank of the United States, a measure productive of more immediate distress to the community and a larger train of evil consequences than perhaps any similar measure in our political history. It was finally determined upon while the President was on his Northern tour, in the summer of 1833, receiving in every part of New England those warm demonstrations of respect which his patriotic course in the great nullification struggle had inspired. It is proper to state, that up to this period, in the judgment of more than one committee of Congress appointed to investigate its affairs, in the opinion of both Houses of Congress, who in 1832 had passed a bill to renew the charter, and of the House of Representatives, which had resolved that the deposits were safe in its custody, the affairs of the bank had been conducted with prudence, integrity, and remarkable skill. It was not the least evil consequence of the warfare waged upon the bank, that it was finally drawn into a position (though not till its Congressional charter expired, and it accepted very unwisely a charter as a State institution) in which, in its desperate struggle to sustain itself, it finally for-

feited the confidence of its friends and the public, and made a deplorable and shameful shipwreck at once of its interests and honor, involving hundreds, at home and abroad, in its own deserved ruin.

The second administration of General Jackson, which commenced in March, 1833, was principally employed in carrying on this war against the bank, and in the effort to build up the league of the associated banks into an efficient fiscal agent of the government. The dangerous crisis of affairs in South Carolina had, for the time, passed. The passage of the "Force Bill" had vindicated the authority of the Constitution as the supreme law of the land, and had armed the President with the needed powers to maintain it. On the other hand, the Compromise Bill of Mr. Clay, providing for the gradual reduction of all duties to one uniform rate of twenty per cent., was accepted by Mr. Calhoun and his friends as a practical concession, and furnished them the opportunity of making what they deemed a not discreditable retreat from the attitude of military resistance in which they had placed the State. Regarding this bill in the light of a concession to unconstitutional menace, as tending to the eventual prostration of all the interests which had grown up under the system so long pursued by the government, Mr. Webster felt himself compelled to withhold from it his support. He rejoiced, however, in the concurrence of events which had averted the dread appeal to arms that seemed at one time unavoidable.

It would occupy an unreasonable space to dwell upon every public measure before Congress at this session; but there is one which cannot with propriety be passed over, as it drew forth from Mr. Webster an argument not inferior to his speech on the "Force Bill." A resolution, originally moved by Mr. Clay, expressing disapprobation of the removal of the deposits from the bank, was, after material amendments, adopted by the Senate. This resolution led to a formal protest from the President, communicated to the Senate on the 15th of April, 1834. Looking upon the resolution referred to as one of expediency, it is probable that Mr. Webster did not warmly favor, though, with Mr. Calhoun, he concurred in, its passage. The protest of the President, however, placed the subject on

new ground. Mr. Webster considered it as an encroachment on the constitutional rights of the Senate, and as a denial to that body of the freedom of action which the executive claimed so earnestly for itself. He accordingly addressed the Senate on the 7th of May, in a speech of the highest ability, in which the doctrines of the protest were subjected to the severest scrutiny, and the constitutional rights and duties of the Senate asserted with a force and spirit worthy of the important position occupied by that body in the frame of the government. This speech will be ever memorable for that sublime passage on the extent of the power of England, which will be quoted with admiration wherever our language is spoken and while England retains her place in the family of nations.

This speech was received throughout the country with the highest favor; by the most distinguished jurists and statesmen as well as by the mass of the people. Chancellor Kent's language of praise passes the limits of moderation. "You never," said he, "equalled this effort. It surpasses everything in logic, in simplicity and beauty and energy of diction, in clearness, in rebuke, in sarcasm, in patriotic and glowing feeling, in just and profound constitutional views, in critical severity, and matchless strength. It is worth millions to our liberties." Not less decided was the approbation of a gentleman of great sagacity and experience as a statesman, Governor Tazewell of Virginia. In writing to Mr. Tyler he uses this language: "Tell Webster from me that I have read his speech in the National Intelligencer with more pleasure than any I have lately seen. If the approbation of one who has not been used to coincide with him in opinion can be grateful to him, he has mine *in extenso*. I agree with him perfectly, and thank him cordially for his many excellent illustrations of what I always thought. If it is published in a pamphlet form, beg him to send me one. I will have it bound in good Russia leather, and leave it as a special legacy to my children." *

At the same session of Congress, Mr. Webster spoke frequently on the presentation of memorials, which were poured in upon him from every part of the country, in reference to the existing distress. These speeches were of necessity made,

* March's Reminiscences of Congress, pp. 291, 292.

in almost every case, with little or no preparation, but many of them contain expositions of the operation of the financial experiment instituted by General Jackson, which will retain a permanent value in our political history. Some of them are marked by bursts of the highest eloquence. The entire subject of the currency was also treated with great ability by Mr. Webster, in a report made at this session of Congress from the committee of the Senate on finance, of which he was chairman. Few documents more skilfully digested or powerfully reasoned have proceeded from his pen.

The same topics substantially occupied the attention of the Senate at the Twenty-fourth as at the Twenty-third Congress. The principal subjects discussed pertained to the currency. The specie circular and the distribution of the surplus revenue were among the prominent measures. A motion made in the Senate to expunge from its records the resolution of March, 1834, by which the Senate expressed its disapprobation of the removal of the deposits, drew forth from Mr. Webster, on behalf of himself and his colleague, a protest against that measure, of singular earnestness and power. Committed to writing, and read with unusual solemnity, it produced upon the Senate an effect which is still remembered and spoken of. Every word in it is weighed as in a balance.

The administration of General Jackson was drawing to a close; Mr. Van Buren had been chosen to succeed him in November, 1836. In the month of February following, upon an invitation from a large committee of merchants, professional men, and citizens generally of New York, given some months previous, Mr. Webster attended one of those great public meetings which he has been so often called to address. His speech on this occasion, delivered in Niblo's Saloon on the 15th of March, 1837, is one of the most important in this collection. It embraced a comprehensive review of the entire course of General Jackson's policy, and closed with a prediction of the impending catastrophe. After the adjournment of Congress, Mr. Webster made a hasty tour to the West, in the course of which he addressed large public meetings at Wheeling in Virginia, at Madison in Indiana, and at other places. The coincidence of passing events with all his anticipations of the certain

effects of the administration policy gave peculiar force to these addresses. It is to be regretted that these speeches appear from inadequate reports; of some of the speeches made by him on this tour, no notes were taken.

Such was the financial embarrassment induced by the explosion of the system of the late administration, that President Van Buren's first official act was a proclamation for an extra session of Congress, to be held in September, 1837. At this session the new government plan of finance, usually called "the Sub-treasury system," was brought forward. It was the opinion of Mr. Webster, that the rigid enforcement by the government of a system of specie payments in all its public receipts and expenditures was an actual impossibility, in the present state of things in this country and the other commercial countries of the civilized world. The attempt to reject altogether the aid of convertible paper, of bills of exchange, of drafts, and other substitutes for the use and transportation of the precious metals, must fail in practice in a commercial country, where the great mass of the business affairs of the community are transacted with their aid. If the attempt could be forced through, it would be like an attempt on the part of the government to make use of the ancient modes of travel and conveyance, while every citizen in his private affairs enjoyed the benefit of steam navigation and railways. Mr. Webster accordingly opposed the sub-treasury project from its inception; and it failed to become a law at the extra session of Congress in 1837.

Somewhat to the surprise of the country generally, it received the support of Mr. Calhoun. In common with most of his friends, he had sustained the Bank of the United States, and denounced the financial policy of General Jackson at every stage. But at the extra session of Congress he expressed opinions favorable to the sub-treasury, and followed them up in a remarkable letter to his constituents, published after the adjournment. At the winter session of 1837–38 he defended the government plan in an elaborate speech. This speech drew from Mr. Webster a very able reply. He had, earlier in the session, delivered his sentiments in opposition to the government measure, and Mr. Calhoun, in his speech of the 15th

of February, 1838, had animadverted upon them, and represented the sub-treasury system as little more than an attempt to carry out the joint resolution of the 30th of April, 1816, which, as we have seen above, was introduced by Mr. Webster, and was the immediate means of restoring specie payments after the war.

This reference, as well as the whole tenor of Mr. Calhoun's remarks, called upon Mr. Webster for a rejoinder, which was made by him on the 12th of March. It is the most elaborate and effective of Mr. Webster's speeches on the subject of the currency.* The constitutional right of the general government to employ a convertible paper in its fiscal transactions, and to make use of banks in the custody and transmission of its funds, is argued in this speech with much ability, from the necessity of the case, from the contemporaneous expositions of the Constitution, from the practice of the government under every administration, from the expressed views and opinions of every President of the United States, including General Jackson, and from the often-declared opinions of all the leading statesmen of the country, not excepting Mr. Calhoun himself, whose course in this respect was reviewed by Mr. Webster somewhat at length, and in such a way as unavoidably to suggest the idea of inconsistency, although no such charge was made.

To some portions of this speech Mr. Calhoun replied a few weeks afterwards, and sought to ward off the comments upon his own course in reference to this class of questions, by some severe strictures on that of Mr. Webster. This drew from him a prompt and spirited rejoinder. The following passage may be extracted as a specimen: —

"But, Sir, before attempting that, he [Mr. Calhoun] has something else to say. He had prepared, it seems, to draw compari-

* Not long after the publication of this speech, the present Lord Overstone, then Mr. S. Jones Loyd, one of the highest authorities upon financial subjects in England, was examined upon the subject of banks and currency before a committee of the House of Commons. He produced a copy of the speech of Mr. Webster before the committee, and pronounced it one of the ablest and most satisfactory discussions of these subjects which he had seen. In writing afterwards to Mr. Webster, he spoke of him as a master who had instructed him on these subjects.

sons himself. He had intended to say something, if time had allowed, upon our respective opinions and conduct in regard to the war. If time had allowed! Sir, time does allow, time must allow. A general remark of that kind ought not to be, cannot be, left to produce its effect, when that effect is obviously intended to be unfavorable. Why did the gentleman allude to my votes or my opinions respecting the war at all, unless he had something to say? Does he wish to leave an undefined impression that something was done, or something said, by me, not now capable of defence or justification? something not reconcilable with true patriotism? He means that, or nothing. And now, Sir, let him bring the matter forth; let him take the responsibility of the accusation; let him state his facts. I am here to answer; I am here, this day, to answer. Now is the time, and now the hour. I think we read, Sir, that one of the good spirits would not bring against the Arch-enemy of mankind a railing accusation; and what is railing but general reproach, an imputation without fact, time, or circumstance? Sir, I call for particulars. The gentleman knows my whole conduct well; indeed, the journals show it all, from the moment I came into Congress till the peace. If I have done, then, Sir, anything unpatriotic, anything which, as far as love to country goes, will not bear comparison with his or any man's conduct, let it now be stated. Give me the fact, the time, the manner. He speaks of the war; that which we call the late war, though it is now twenty-five years since it terminated. He would leave an impression that I opposed it. How? I was not in Congress when war was declared, nor in public life anywhere. I was pursuing my profession, keeping company with judges and jurors, and plaintiffs and defendants. If I had been in Congress, and had enjoyed the benefit of hearing the honorable gentleman's speeches, for aught I can say, I might have concurred with him. But I was not in public life. I never had been for a single hour; and was in no situation, therefore, to oppose or to support the declaration of war. I am speaking to the fact, Sir; and if the gentleman has any fact, let us know it.

"Well, Sir, I came into Congress during the war. I found it waged, and raging. And what did I do here to oppose it? Look to the journals. Let the honorable gentleman tax his memory. Bring up anything, if there be anything to bring up, not showing error of opinion, but showing want of loyalty or fidelity to the country. I did not agree to all that was proposed, nor did the honorable member. I did not approve of every measure, nor did

he. The war had been preceded by the restrictive system and the embargo. As a private individual, I certainly did not think well of these measures. It appeared to me that the embargo annoyed ourselves as much as our enemies, while it destroyed the business and cramped the spirits of the people. In this opinion I may have been right or wrong, but the gentleman was himself of the same opinion. He told us the other day, as a proof of his independence of party on great questions, that he differed with his friends on the subject of the embargo. He was decidedly and unalterably opposed to it. It furnishes in his judgment, therefore, no imputation either on my patriotism, or on the soundness of my political opinions, that I was opposed to it also. I mean opposed in opinion; for I was not in Congress, and had nothing to do with the act creating the embargo. And as to opposition to measures for carrying on the war, after I came into Congress, I again say, let the gentleman specify; let him lay his finger on anything calling for an answer, and he shall have an answer.

"Mr. President, you were yourself in the House during a considerable part of this time. The honorable gentleman may make a witness of you. He may make a witness of anybody else. He may be his own witness. Give us but some fact, some charge, something capable in itself either of being proved or disproved. Prove anything, state anything, not consistent with honorable and patriotic conduct, and I am ready to answer it. Sir, I am glad this subject has been alluded to in a manner which justifies me in taking public notice of it; because I am well aware that, for ten years past, infinite pains has been taken to find something, in the range of these topics, which might create prejudice against me in the country. The journals have all been pored over, and the reports ransacked, and scraps of paragraphs and half-sentences have been collected, fraudulently put together, and then made to flare out as if there had been some discovery. But all this failed. The next resort was to supposed correspondence. My letters were sought for, to learn if, in the confidence of private friendship, I had ever said anything which an enemy could make use of. With this view, the vicinity of my former residence has been searched, as with a lighted candle. New Hampshire has been explored from the mouth of the Merrimack to the White Hills. In one instance, a gentleman had left the State, gone five hundred miles off, and died. His papers were examined; a letter was found, and, I have understood, it was brought to Washington; a conclave was held to consider it, and

the result was, that, if there was nothing else against Mr. Webster, the matter had better be let alone. Sir, I hope to make everybody of that opinion who brings against me a charge of want of patriotism. Errors of opinion can be found, doubtless, on many subjects; but as conduct flows from the feelings which animate the heart, I know that no act of my life has had its origin in the want of ardent love of country."

This is the only occasion during the long political lives of these distinguished statesmen, begun nearly at the same time, and continued through a Congressional career which brought them of necessity much in contact with each other, in which there was any approach to personality in their keen encounters. In fact, of all the highly eminent public men of the day, they are the individuals who have made the least use of the favorite weapon of ordinary politicians, personality toward opponents. On the decease of Mr. Calhoun at Washington, in the spring of 1850, their uninterrupted friendly relations were alluded to by Mr. Webster in cordial and affecting terms. He regarded Mr. Calhoun as decidedly the ablest of the public men to whom he had been opposed in the course of his political life.

These kindly feelings on Mr. Webster's part were fully reciprocated by Mr. Calhoun. He is known to have declared on his death-bed, that, of all the public men of the day, there was no one whose political course had been more strongly marked by a strict regard to truth and honor than Mr. Webster's.

In the spring of 1839, Mr. Webster crossed the Atlantic for the first time in his life, making a hasty tour through England, Scotland, and France. His attention was particularly drawn to the agriculture of England and Scotland; to the great subjects of currency and exchange; to the condition of the laboring classes; and to the practical effect on the politics of Europe of the system of the Continental alliance. No traveller from this country has probably ever been received with equal attention in the highest quarters in England. Courtesies usually paid only to ambassadors and foreign ministers were extended to him. His table was covered with invitations to the seats of the nobility and gentry; and his company was eagerly sought at the public entertainments which took place while he was in the country. Among the distinguished individuals with whom

he contracted intimate relations of friendship, the late Lord Ashburton may be particularly mentioned. A mutual regard of more than usual warmth arose between them. This circumstance was well understood in the higher circles of English society, and when, two years later, a change of administration in both countries brought the parties to which they were respectively attached into power, the friendly relations well known to exist between them were no doubt among the motives which led to the appointment of Lord Ashburton as special minister to the United States.

Toward that great political change which was consummated in 1840, by which General Harrison was raised to the Presidency, no individual probably in the country had contributed more largely than Mr. Webster; and this by powerful appeals to the reason of the people. His speeches had been for years a public armory, from which weapons both of attack and defence were furnished to his political friends throughout the Union. The financial policy of the two preceding administrations was the chief cause of the general discontent which prevailed; and it is doing no injustice to the other eminent leaders of opposition in the several States to say, that by none of them had the vices of this system from the first been so laboriously and effectively exposed as by Mr. Webster. During the canvass of 1840, the most strenuous ever witnessed in the United States, he gave himself up for months to what may literally be called the arduous labor of the field. These volumes exhibit the proof, that not only in Massachusetts, but in distant places, from Albany to Richmond, his voice of encouragement and exhortation was heard.

The event corresponded to the effort, and General Harrison was triumphantly elected.

Chapter VIII*

Critical State of Foreign Affairs on the Accession of General Harrison. — Mr. Webster appointed to the State Department. — Death of General Harrison. — Embarrassed Relations with England. — Formation of Sir Robert Peel's Ministry, and Appointment of Lord Ashburton as Special Minister to the United States. — Course pursued by Mr. Webster in the Negotiations. — The Northeastern Boundary. — Peculiar Difficulties in its Settlement happily overcome. — Other Subjects of Negotiation. — Extradition of Fugitives from Justice. — Suppression of the Slave-Trade on the Coast of Africa. — History of that Question. — Affair of the "Caroline." — Impressment. — Other Subjects connected with the Foreign Relations of the Government. — Intercourse with China. — Independence of the Sandwich Islands. — Correspondence with Mexico. — Sound Duties and the Zoll-Verein. — Importance of Mr. Webster's Services as Secretary of State.

THE condition of affairs in the United States, on the accession of President Harrison to office, in the spring of 1841, was difficult and critical, especially as far as the foreign relations of the country were concerned. Ancient and modern controversies existed with England, which seemed to defy adjustment. The great question of the northeastern boundary had been the subject of negotiation almost ever since the peace of 1783. Every effort to settle it had but increased the difficulties with which it was beset, by exhausting the expedients of diplomacy. The Oregon question was rapidly assuming a formidable aspect, as emigrants began to move into the country in dispute. Not less serious was the state of affairs on the southwestern frontier, where, although a collision with Mexico might not in itself be an event to be viewed with great anxiety, it was probable, as things then stood, that it would have brought a war with Great Britain in its train.

To the uneasiness necessarily growing out of these boundary questions, no little bitterness was added by more recent occurrences. The interruption of our vessels on the coast of Africa

* This chapter is republished, with but slight modifications, from the volume of Mr. Webster's Diplomatic and Official Papers, which appeared in 1848, to which it served as the Introduction.

was a frequently recurring source of irritation. Great cause of complaint was sometimes given by boarding officers, acting on frivolous pretences or in a vexatious manner. At other times the public feeling in the United States was excited by the exaggerations and misstatements of unworthy American citizens, who abused the flag of the country to cover a detestable traffic, which is made a capital felony by its laws. The affair of the "Caroline," followed by the arrest of McLeod, created a degree of discontent on both sides, which discussion had done nothing to remove, but much to exasperate. A crisis had arisen, which the Minister of the United States in London * deemed so serious, as to make it his duty to communicate with the commander of the American squadron in the Mediterranean.†

Such was the state of things when General Harrison acceded to the Presidency, after perhaps the most strenuously contested election ever known, and by a larger popular vote than had ever before been given in the United States. As soon as the result was known, the President-elect addressed a letter to Mr. Webster, offering him any place he might choose in his Cabinet, and asking his advice as to the other members of which it should be composed. The wants and wishes of the country in reference to currency and finance having brought about the political revolution which placed General Harrison in the chair, he was rather desirous that the Department of the Treasury should be assumed by Mr. Webster, who had studied those subjects profoundly, and whose opinions were in full concurrence with his own. Averse to the daily drudgery of the Treasury, Mr. Webster gave his preference to the Department of State, without concealing from himself that it might be the post of greater care and responsibility. In this anticipation he was not disappointed. Although the whole of the danger did not at once appear, it was evident from the outset that the moment was extremely critical. Still, however, the circumstances under which General Harrison was elected were such as to give to his administration a moral power and a freedom of action, as to pre-existing controversies, favorable to their settlement on honorable terms.

* Mr. Stevenson.

† Senate Papers, Twenty-seventh Congress, First Session, No. 33.

But the death of the new President, when just entering upon the discharge of his duties, changed the state of affairs in this respect. The great national party which had called him to the helm was struck with astonishment. No rallying-point presented itself. A position of things existed, not overlooked, indeed, by the sagacious men who framed the Constitution, but which, from its very nature, can never enter practically into the calculations of the enthusiastic multitudes by which, in times of difficulty and excitement, a favorite candidate is borne to the chair. How much of the control which it would otherwise have possessed over public opinion could be retained by an administration thus unexpectedly deprived of its head, was a question which time alone could settle. Happily, as far as our foreign relations were concerned, a character had been assumed by the administration, from the very formation of General Harrison's Cabinet, which was steadily maintained, till the adjustment of the most difficult points in controversy was effected by the treaty of Washington. President Harrison, as is well known, lived but one month after his inauguration, but all the members of his Cabinet remained in office under Mr. Tyler, who succeeded to the Presidency. With him, of course, rested the general authority of regulating and directing the negotiations with foreign powers, in which the government might be engaged. But the active management of these negotiations was in the hands of the Secretary of State, and it is believed that no difference of views in regard to important matters arose between him and Mr. Tyler. For the result of the principal negotiation, Mr. Tyler manifested great anxiety; and Mr. Webster has not failed, in public or private, to bear witness to the intelligent and earnest attention which was bestowed by him on the proceedings, through all their stages, and to express his sense of the confidence reposed in himself by the head of the administration, from the beginning to the end of the transactions.

If the position of things was difficult here, it was not less so on the other side of the Atlantic; indeed, many of the causes of embarrassment were common to the two countries. There, as here, the correspondence, whether conducted at Washington or London, had of late years done nothing toward an amicable settlement of the great questions at issue. It had

degenerated into an exercise of diplomatic logic, with the effect, in England as well as in America, of strengthening each party in the belief of its own rights, and of working up the public mind to a reluctant feeling that the time was at hand when those rights must be maintained by force. That the British and American governments, during a considerable part of the administrations of General Jackson and Mr. Van Buren, should, with the fate of the reference to the King of the Netherlands before their eyes, have exerted themselves with melancholy ingenuity in arranging the impossible details of another convention of exploration and arbitration, shows of itself that neither party had any real hope of actually settling the controversy, but that both were willing to unite in a decent pretext for procrastination.

The report of Mr. Featherstonhaugh, erroneously believed, in England, to rest upon the results of actual exploration, had been sanctioned by the ministry, and seemed to extinguish the last hope that England would agree to any terms of settlement which the United States would deem reasonable. The danger of collision on the frontier became daily more imminent, and troops to the amount of seventeen regiments had been poured into the British Provinces. The arrest of McLeod, as we have already observed, had brought matters to a point at which the public sensibility of England would not have allowed a minister to blink the question. Lord Palmerston is known to have written to Mr. Fox, that the arrest of McLeod, under the authority of the State of New York, was universally regarded in England as a direct affront to the British government, and that such was the excitement caused by it, that, if McLeod should be condemned and executed, it would not be in the power either of ministers or opposition, or of the leading men of both parties, to prevent immediate war.

While this was the state of affairs with reference to the immediate relations of the two countries, Lord Palmerston was urging France into a co-operation with the four other leading powers of Europe in the adoption of a policy, by the negotiation of the quintuple treaty, which would have left the United States in a position of dangerous insulation on the subject of the great maritime question of the day.

At this juncture, a change of administration occurred in England, subsequent but by a few months to that which had taken place in the government of the United States. Lord Melbourne's government gave way to that of Sir Robert Peel in the summer of 1841; it remained to be seen with what influence on the relations of the two countries. Some circumstances occurred to put at risk the tendency toward an accommodation, which might naturally be hoped for from a change of administration nearly simultaneous on both sides of the water. A note of a very uncompromising character, on the subject of the search of American vessels on the coast of Africa, had been addressed to Mr. Stevenson by Lord Palmerston on the 27th of August, 1841, a day only before the expiration of Lord Melbourne's ministry. To this note Mr. Stevenson replied in the same strain. The answer of Lord Aberdeen, who had succeeded Lord Palmerston as Secretary of State for Foreign Affairs, bears date the 10th of October, 1841, and an elaborate rejoinder was returned by Mr. Stevenson on the very day of his departure from London. Lord Aberdeen's reply to this note was of necessity addressed to Mr. Everett, who had succeeded Mr. Stevenson. It was dated on the 20th of December, the day on which the quintuple treaty was signed at London by the representatives of the five powers, and it contained an announcement of that fact.

Happily, however, affairs were already taking a turn auspicious of better results. From his first entrance on office as Secretary of State, Mr. Webster, long familiar with the perplexed history of the negotiation relative to the boundary, had perceived the necessity of taking a "new departure." The negotiation had broken down under its own weight. It was like one of those lawsuits which, to the opprobrium of tribunals, descend from age to age; a disease of the body politic not merely chronic, but hereditary. Early in the summer of 1841, Mr. Webster had intimated to Mr. Fox, the British Minister at Washington, that the American government was prepared to consider, and, if practicable, adopt, a conventional line, as the only mode of cutting the Gordian knot of the controversy. This overture was, of course, conveyed to London. Though not leading to any result on the part of the ministry just going out of office, it was embraced by their successors in the same wise

and conciliatory spirit in which it had been made. On the 26th of December, 1841, a note was addressed by Lord Aberdeen to Mr. Everett, inviting him to an interview on the following day, when he communicated the purpose of the British government to send a special mission to the United States, Lord Ashburton being the person selected as minister, and furnished with full powers to settle every question in controversy.

This step on the part of the British government was as bold as it was wise. It met the difficulty in the face. It justly assumed the existence of a corresponding spirit of conciliation on the part of the United States, and of a desire to bring matters to a practical result. It was bold, because it was the last expedient for an amicable adjustment, and because its failure must necessarily lead to very serious and immediate consequences.

In his choice of a minister, Lord Aberdeen was not less fortunate than he had been wise in proposing the measure. Lord Ashburton was above the reach of the motives which influence politicians of an ordinary stamp, and unencumbered by the habits of routine which belong to men regularly trained in a career. He possessed a weight of character at home which made him independent of the vulgar resorts of popularity. He was animated by a kindly feeling, and bound by kindly associations to this country. There was certainly no public man in England who united in an equal degree the confidence of his own government and country with those claims to the good-will of the opposite party, which were scarcely less essential to success. The relations of personal friendship contracted by Mr. Webster with Lord Ashburton in 1839 have already been alluded to, as influencing the selection. They decided Lord Ashburton in accepting the appointment. The writer was informed by Lord Ashburton himself, that he should have despaired of bringing matters to a settlement advantageous to both countries, but for his reliance on the upright and honorable character of the American Secretary.

With the appointment of Lord Ashburton, the discussion of the main questions in controversy between the two countries, as far as it had been carried on in London, was transferred to Washington. But as an earnest of the conciliatory spirit

which bore sway in the British counsels, Lord Aberdeen had announced to Mr. Everett, in the interval which elapsed between Lord Ashburton's appointment and his arrival at his place of destination, that the Queen's government admitted the wrong done by the detention of the "Tigris" and "Seamew" in the African waters, and was prepared to indemnify their owners for the losses sustained.

Notwithstanding the favorable circumstances under which the mission of Lord Ashburton was instituted, the great difficulties to be overcome soon disclosed themselves. The points in dispute in reference to the boundary had for years been the subject of discussion, more or less, throughout the country, but especially in Massachusetts and Maine (the States having an immediate territorial interest in its decision), and, above all, in the last-named State. Parties differing on all other great questions emulated each other in the zeal with which they asserted the American side of this dispute. So strong and unanimous was the feeling, that, when the award of the King of the Netherlands arrived, the firm purpose of General Jackson to accept it was subdued. The writer of these pages was informed by the late Mr. Forsyth, while Secretary of State, that, when the award reached this country, General Jackson regarded it as definitive, and was disposed, without consulting the Senate, to issue his proclamation announcing it as such; and that he was driven from this course by the representations of his friends in Maine, that it would change the politics of the State. He was accustomed to add, in reference to the inconveniences caused by the rejection of the award, and the still more serious evils to be anticipated, that "it was somewhat singular that the only occasion of importance in his life in which he had allowed himself to be overruled by his friends, was one of all others in which he ought to have adhered to his own opinions."

From the diplomatic paper contained in the sixth volume[1] of the present edition of Mr. Webster's works it appears that the first step taken by Mr. Webster, after receiving the directions of the President in reference to the negotiation, was to invite the co-operation of Massachusetts and Maine, the territory in dispute being the property of the two States, and under the jurisdiction

[1] Volume XI. of the National Edition.

of the latter. The extent of the treaty-making power of the United States, in a matter of such delicacy as the cession of territory claimed by a State to be within its limits, belongs to the more difficult class of constitutional doctrines. We have just seen both the theory and practice of General Jackson on this point. The administration of Mr. Tyler took for granted that the full consent of Massachusetts and Maine was necessary to any adjustment of this great dispute on the principle of mutual cession and equivalents, or any other principle than that of the ascertainment of the true, original line of boundary by agreement, mutual commission, or arbitration. Communications were accordingly addressed to the governors of the two States. Massachusetts had anticipated the necessity of the measure, and made provision for the appointment of commissioners. The legislature of Maine was promptly convened for the same purpose by the late Governor Fairfield. Four parties were thus in presence at Washington for the management of the negotiation: the United States and Great Britain, Massachusetts and Maine. Recollecting that the question to be settled was one which had defied all the arts of diplomacy for half a century, it seemed to a distant, and especially a European observer, as if the last experiment, exceeding every former step in its necessary complication, was destined to a failure proportionably signal and ignominious. The course pursued by the American Secretary, in making the result of the negotiation relative to the boundary contingent upon the approval of the State commissioners, was regarded in Europe as decidedly ominous of its failure.

It undoubtedly required a high degree of political courage thus to put the absolute control of the subject, to a certain extent, out of the hands of the national government; but it was a courage fully warranted by the event. It is now evident that this mode of procedure was the only one which could have been adopted with any hope of success. Though complicated in appearance, it was in reality the simplest mode in which the co-operation of the States could have been secured. The commissions were, upon the whole, happily constituted; they were framed in each State without reference to party views. By their presence in Washington, it was in the power of the Sec-

retary of State to avail himself, at every difficult conjuncture, of their counsel. Limited in number, they yet represented the public opinion of the two States, as fully as it could have been done by the entire body of their legislatures; while it is quite evident that any attempt to refer to large deliberative bodies at home the discussion of the separate points which arose in the negotiation, would have been physically impossible and politically absurd. The commissioners were, on the part of Maine, Messrs. Edward Kavanagh, Edward Kent, William P. Preble, and John Otis; and on the part of Massachusetts, Messrs. Abbott Lawrence, John Mills, and Charles Allen.

While we name with honor the gentlemen forming the commissions, a tribute of respect is also due to the patriotism of the States immediately concerned, and especially of Maine. To devolve on any individuals, however high in the public regard, a power of transferring, without ratification or appeal, a portion of the territory of the State, for such consideration as those individuals might judge to be adequate, was a measure to be expected only in a case of clear necessity and high confidence. Mr. Webster is known to have regarded this with the utmost concern and anxiety, as the turning-point of the whole attempt. His letter to Governor Fairfield states the case with equal strength and fairness, and puts the course there recommended in striking contrast with that of proceeding to agree to another arbitration, as had been offered by the preceding administration, and assented to by England. The fate of the negotiation might be considered as involved in the success of this appeal to the chief magistrate of Maine, and through him to his constituents. It is said that, when Mr. Webster heard that the legislature of Maine had adopted the resolutions for the commission, he went to President Tyler and said, with evident satisfaction and some animation, "*The crisis is past!*"

A considerable portion, though not the whole, of the official correspondence between the Secretary of State and the other parties to the negotiation is contained in the sixth volume[1] of this collection. The documents published exhibit full proof of the ability with which the argument was conducted. They probably furnish but an inadequate specimen of the judgment,

[1] Volume XI. of the National Edition.

tact, and moral power required to conduct such a negotiation to a successful result. National, State, and individual susceptibilities were to be respected and soothed; adverse interests, real or imaginary, to be consulted; the ordeal of the Senate to be passed through, after every other difficulty had been overcome; and all this in an atmosphere as little favorable to such an operation as can well be imagined. What neither Mr. Monroe in the "era of good feelings," nor the ability and experience of Messrs. Adams, Clay, and Gallatin, nor General Jackson's overwhelming popularity, had been able to bring about, was effected under the administration of Mr. Tyler, though that administration seemed already crumbling for want of harmony between some of the members and the head, and between that head and the party which had brought him into power. No higher tribute can be paid to the ability and temper which were brought to the work.

It was, however, in truth, an adjustment equally honorable and advantageous to all parties. There is not an individual of common sense or common conscience in Maine or Massachusetts, in the United States or Great Britain, who would now wish it disturbed. It took from Maine a tract of land northwest of the St. John, which the people of Maine believed to belong to them under the treaty of 1783. But it is not enough that we think ourselves right; the other party thinks the same; and when there is no common tribunal which both acknowledge, there must be compromise. The tract of land in question, for any purpose of cultivation or settlement, was without value; and had it been otherwise, it would not have been worth the cost of a naval armament or one military expedition, to say nothing of the abomination of shedding blood on such an issue. But the disputed title to the worthless tract of morass, heath, and rock, covered with snow or fog throughout a great part of the year, was not ceded gratuitously. We obtained the navigation of the St. John, the natural outlet of the whole country, without which the territory watered by it would have been of comparatively little value; we obtained a good natural boundary as far as the course of the river was followed, and we established the line which we claimed at the head of the Connecticut, on Lake Champlain, and on the upper lakes; terri-

torial objects of considerable interest. Great Britain had equal reason to be satisfied with the result. For her the territory northwest of the St. John, worthless to us, had a geographical and political value; it gave her a convenient connection between her provinces, which was all she desired. Both sides gained the only object which really was of importance to either, a settlement by creditable means of a wearisome national controversy; an honorable escape from the scourge and curse of war.

Both governments appear to have been fortunate in the constitution of the joint commission to survey, run, and mark the long line of boundary. Mr. Albert Smith, of Maine, was appointed commissioner on the part of the United States, with Major James D. Graham, of the United States Topographical Engineers, as head of a scientific corps, and Mr. Edward Webster * as his secretary. On the part of Great Britain, Lieutenant-Colonel J. B. B. Estcourt, of her Majesty's service, was appointed commissioner, with Captain W. H. Robinson, of the Royal Engineers, as principal astronomer, and J. Scott, Esq., as secretary. Other professional gentlemen were also employed on both sides. Great harmony characterized all the proceedings and results of the commission. The lines were accurately run, and that part of them not designated by rivers was marked all the way by substantial cast-iron monuments, with suitable inscriptions, at every mile, and at most of the principal angles; and wherever the lines extended through forests, the trees were cut down and cleared to the width of thirty feet. All the islands in the St. John were also designated with iron monuments, with inscriptions indicating the government to which they belonged; and upon that and all other streams forming portions of the boundary, monuments were erected at the junction of every branch with the main river.

But it is time to advert to the other great and difficult questions included in this adjustment. The extradition of fugitives from justice is regarded by Grotius and other respectable authorities as the duty of states, by the law of nations. Other

* Younger son of Mr. Webster, who died in Mexico, in 1848, being a major in the regiment of Massachusetts Volunteers.

authorities reject this doctrine ; * and if it be the law of nations, it requires for its execution so much administrative machinery as to be of no practical value without treaty stipulations. The treaty of 1794 with Great Britain (Jay's treaty) made provision for a mutual extradition of fugitives, in cases of murder and forgery ; and the case of Jonathan Robbins, memorable for the argument of Chief Justice Marshall in defence of his surrender, gave a political notoriety to that feature of the treaty not favorable to its renewal in subsequent negotiations. This treaty stipulation expired by its own limitation in 1806.

Besides the convenience of such an understanding on the part of the two great commercial countries, from which language, personal appearance, and manners render mutual escape so easy, the condition of the frontier of the United States and Canada was such as to make this provision all but necessary for the preservation of the peace of the two countries. An extensive secret organization existed in the border States, the object of which was, under the delusive name of "sympathy," to foment and aid rebellion in the British Provinces. Although an agreement for mutual extradition of necessity left untouched a great deal of political agitation unfriendly to border peace, murder and arson were, of course, within its provisions. It appears from the testimony of the parties best informed on the subject, that the happiest consequences flowed from this article of the treaty of Washington. No more was heard of border forays, "Hunters' Lodges," "Associations for the Liberty of Canada," or violences offered or retaliated across the line. The mild, but certain influence of law imposed a restraint, which even costly and formidable military means had not been found entirely adequate to produce.

The stipulations for extradition in the treaty of Washington appear to have served as a model for those since entered into between the most considerable European powers. A convention for the same purpose was concluded between England and France on the 13th of February, 1843, and other similar compacts have still more recently been negotiated. Between the

* The authorities are given in Story's Commentaries, Vol. III. pp. 675, 676 ; Conflict of Laws, pp. 520, 522 ; and in Kent's Commentaries, Vol. I. pp. 36, 37.

United States and Great Britain the operation of this part of the treaty has, in all ordinary cases, been entirely satisfactory. Persons charged with the crimes to which its provisions extend have been mutually surrendered; and the cause of public justice, and in many cases important private interests, have been materially served on both sides of the water.

Not inferior in importance and delicacy to the other subjects provided for by the treaty was that which concerned the measures for the suppression of "the slave-trade" on the coast of Africa. In order to understand the difficulties with which Mr. Webster had to contend on this subject, a brief history of the question must be given. The law of nations, as understood and expounded by the most respectable authorities and tribunals, European and American, recognizes the right of search of neutral vessels in time of war, by the public ships of the belligerents. It recognizes no right of search in time of peace. It makes no distinction between a right of visitation and a right of search. To compel a trading-vessel, against the will of her commander, to come to and be boarded, for any purpose whatsoever, is an exercise of the right of search which the law of nations concedes to belligerents for certain purposes. To do this in time of peace, under whatever name it may be excused or justified, is to perform an act of mere power, for which the law of nations affords no warrant. The moral quality of the action, and the estimate formed of it, will of course depend upon circumstances, motives, and manner. If an armed ship board a vessel under reasonable suspicion that she is a pirate, and when there is no other convenient mode of ascertaining that point, there would be no cause of blame, although the suspicion turned out to be groundless.

The British government, for the praiseworthy purpose of putting a stop to the traffic in slaves, has at different times entered into conventions with several of the states of Europe authorizing a mutual right of search of the trading-vessels of each contracting party by the armed cruisers of the other party. These treaties give no right to search the vessels of nations not parties to them. But if an armed ship of either party should search a vessel of a third power under a reasonable suspicion that she belonged to the other contracting party, and

was pursuing the slave-trade in contravention of the treaty, this act of power, performed by mistake, and with requisite moderation and circumspection in the manner, would not be just ground of offence. It would, however, authorize a reasonable expectation of indemnification on behalf of the private individuals who might suffer by the detention, as in other cases of injury inflicted on innocent persons by public functionaries acting with good intentions, but at their peril.

The Government of the United States, both in its executive and legislative branches, has at almost all times manifested an extreme repugnance to enter into conventions for a mutual right of search. It has not yielded to any other power in its aversion to the slave-trade, which it was the first government to denounce as piracy. The reluctance in question grew principally out of the injuries inflicted upon the American commerce, and still more out of the personal outrages in the impressment of American seamen, which took place during the wars of Napoleon, and incidentally to the belligerent right of search and the enforcement of the Orders in Council and the Berlin and Milan Decrees. Besides a wholesale confiscation of American property, hundreds of American seamen were impressed into the ships of war of Great Britain. So deeply had the public sensibility been wounded on both points, that any extension of the right of search by the consent of the United States was for a long time nearly hopeless.

But this feeling, strong and general as it was, yielded at last to the detestation of the slave-trade. Toward the close of the second administration of Mr. Monroe the executive had been induced, acting under the sanction of resolutions of the two Houses of Congress, to agree to a convention with Great Britain for a mutual right of search of vessels suspected of being engaged in the traffic. This convention was negotiated in London by Mr. Rush on the part of the United States, Mr. Canning being the British Secretary of State for Foreign Affairs.

In defining the limits within which this right should be exercised, the coasts of America were included. The Senate were of opinion that such a provision might be regarded as an admission that the slave-trade was carried on between the coasts of Africa and the United States, contrary to the known

fact, and to the reproach either of the will or power of the United States to enforce their laws, by which it was declared to be piracy. It also placed the whole coast of the Union under the surveillance of the cruisers of a foreign power. The Senate, accordingly, ratified the treaty, with an amendment exempting the coasts of the United States from the operation of the article. They also introduced other amendments of less importance.

On the return of the treaty to London thus amended, Mr. Canning gave way to a feeling of dissatisfaction at the course pursued by the Senate, not so much on account of any decided objection to the amendment in itself considered, as to the claim of the Senate to introduce any change into a treaty negotiated according to instructions. Under the influence of this feeling, Mr. Canning refused to ratify the treaty as amended, and no further attempt was at that time made to renew the negotiation.

It will probably be admitted on all hands, at the present day, that Mr. Canning's scruple was without foundation. The treaty had been negotiated by this accomplished statesman, under the full knowledge that the Constitution of the United States reserves this power to the Senate. That it should be exercised was, therefore, no more matter of complaint, than that the treaty should be referred at all to the ratification of the Senate. The course pursued by Mr. Canning was greatly to be regretted, as it postponed the amicable adjustment of this matter for eighteen years, not without risk of serious misunderstanding in the interval.

Attempts were made on the part of England, during the ministry of Lord Melbourne, to renew the negotiation with the United States, but without success. Conventions between France and England, for a mutual right of search within certain limits, were concluded in 1831 and 1833, under the ministry of the Duc de Broglie, without awakening the public sensibility in the former country. As these treaties multiplied, the activity of the English cruisers increased. After the treaty with Portugal, in 1838, the vessels of that country, which, with those of Spain, were most largely engaged in the traffic, began to assume the flag of the United States as a protection; and in many cases, also, although the property of vessels and cargo

had, by collusive transfers on the African coast, become Spanish or Portuguese, the vessels had been built and fitted out in the United States, and too often, it may be feared, with American capital. Vessels of this description were provided with two sets of papers, to be used as occasion might require.

Had nothing further been done by British cruisers than to board and search these vessels, whether before or after a transfer of this kind, no complaint would probably have been made by the Government of the United States. But, as many American vessels were engaged in lawful commerce on the coast of Africa, it frequently happened that they were boarded by British cruisers, not always under the command of discreet officers. Some voyages were broken up, officers and men occasionally ill-treated, and vessels sent to the United States or Sierra Leone for adjudication.

In 1840 an agreement was made between the officers in command of the British and American squadrons respectively, sanctioning a reciprocal right of search on the coast of Africa. It will be found among the papers pertaining to this subject, in the sixth volume[1] of this collection. It was a well-meant, but unauthorized step, and was promptly disavowed by the administration of Mr. Van Buren. Its operation, while it lasted, was but to increase the existing difficulty. Reports of the interruptions experienced by our commerce in the African waters began greatly to multiply; and there was a strong interest on the part of those surreptitiously engaged in the traffic to give them currency. A deep feeling began to be manifested in the country; and the correspondence between the American Minister in London and Lord Palmerston, in the last days of the Melbourne ministry, was such as to show that the controversy had reached a critical point. Such was the state of the question when Mr. Webster entered the Department of State.

The controversy was transmitted, as we have seen, to the new administrations on both sides of the water, but soon assumed a somewhat modified character. The quintuple treaty, as it was called, was concluded at London, on the 20th of December, 1841, by England, France, Austria, Prussia, and Russia; and information of that fact, as we have seen above,

[1] Volume XII. of the National Edition.

was given by Lord Aberdeen to Mr. Everett the same day. A strong desire was intimated that the United States would join this association of the great powers, but no formal invitation for that purpose was addressed to them. But the recent occurrences on the coast of Africa, and the tone of the correspondence above alluded to, had increased the standing repugnance of the United States to the recognition of a right of search in time of peace.

In the mean time, the same complaints, sometimes just, sometimes exaggerated, sometimes groundless, had reached France from the coast of Africa, and a strong feeling against the right of search was produced in that country. The incidents connected with the adjustment of the Syrian question, in 1840, had greatly irritated the French ministry and people, and the present was deemed a favorable moment for retaliation. On the assembling of the Chambers, an amendment was moved by M. Lefebvre to the address in reply to the king's speech in the following terms: "We have also the confidence, that, in granting its concurrence to the suppression of a criminal traffic, your government will know how to preserve from every attack the interest of our commerce and the independence of our flag." This amendment was adopted by the unanimous vote of the Chambers.

This was well understood to be a blow aimed at the quintuple treaty. It was the most formidable parliamentary check ever encountered by M. Guizot's administration. It excited profound sensation throughout Europe. It compelled the French ministry to make the painful sacrifice of a convention negotiated agreeably to instructions, and not differing in principle from those of 1831 and 1833, which were consequently liable to be involved in its fate. The ratification of the quintuple treaty was felt to be out of the question. Although it soon appeared that the king was determined to sustain M. Guizot, it was by no means apparent in what manner his administration was to be rescued from the present embarrassment.

The public feeling in France was considerably heightened by various documents which appeared at this juncture, in connection with the controversy between the United States and Great Britain. The President's message and its accompanying papers

reached Europe about the period of the opening of the session. A very few days after the adoption of M. Lefebvre's amendment, a pamphlet, written by General Cass, was published in Paris, and, being soon after translated into French and widely circulated, contributed to strengthen the current of public feeling. A more elaborate essay was, in the course of the season, published by Mr. Wheaton, the Minister of the United States at Berlin, in which the theory of a right of search in time of peace was vigorously assailed.

The preceding sketch of the history of the question will show the difficulty of the position in reference to this most important interest, at the time Lord Ashburton's mission was instituted. With what practical good sense and high statesmanship the controversy was terminated is well known to the country. It is unnecessary here to retrace the steps of the correspondence, to comment on the eighth article of the treaty of Washington, or to analyze the parliamentary and diplomatic discussions to which in the following year it gave rise. It is enough to say, that, under circumstances of some embarrassment to the Department of State, a course of procedure was happily devised by Mr. Webster, and incorporated into the treaty, which, leaving untouched the metaphysics of the question, furnished a satisfactory practical solution of the difficulty. Circumstances having made a restatement expedient of the principles maintained by the United States on this most important subject, a letter was addressed by Mr. Webster to Mr. Everett, on the 28th of March, 1843, to be read to the British Secretary of State for Foreign Affairs, in which the law of nations applicable to the subject was expounded by the American Secretary with a clearness and power which will render any further discussion of the subject, under its present aspects, entirely superfluous. Nor will it be thought out of place to acknowledge the fairness, good temper, and ability with which the doctrine and practice of the English government were sustained by the Earl of Aberdeen.

The wisdom with which the eighth article of the treaty was drawn up was soon seen in its consequences. Its effect was decisive. It put a stop to all discontent at home in reference to the interruption of our lawful commerce on the coast of Africa. Abroad, it raised the jealousy already existing in France on this

subject to the point of uncontrollable repugnance. The ratification of the quintuple treaty had long been abandoned. It was soon evident that the conventions of 1831 and 1833 must be given up. In the course of the year 1844, the Duc de Broglie, the honorable and accomplished minister by whom they had been negotiated, accepted a special mission to London, for the purpose of coming to some satisfactory arrangement by way of substitute, and a convention was soon concluded with the British government on precisely the same principles with those of the treaty of Washington.

It may be hoped that the important suggestion of Mr. Webster will be borne in mind, in any future discussions of this and other maritime questions, that the policy of the United States is not that of a feeble naval power interested in exaggerating the doctrine of neutral inviolability. A respect for every independent flag is a common interest of all civilized states, powerful or weak; but the rank of the United States among naval powers, and their position as the great maritime power on the western coasts of the Atlantic and the eastern coasts of the Pacific, may lead them to doubt the expediency of pressing too far the views they have hitherto held, and moderate their anxiety to construe with extreme strictness the rights which the law of nations concedes to public vessels.

The three subjects on which we have dwelt, namely, the northeastern boundary, the extradition of fugitives, and the suppression of the slave-trade, were the only ones which required to be provided for by treaty stipulation. Other subjects, scarcely less important and fully as difficult, were happily disposed of in the correspondence of the plenipotentiaries. These were the affair of the "Caroline," that of the "Creole," and the question of impressment. Our limits do not permit us to dwell at length on these topics; but we shall be pardoned for one or two reflections.

So urgent is the pressure on the public mind of the successive events which demand attention each as it presents itself, that the formidable difficulties growing out of the destruction of the "Caroline" and the arrest of McLeod are already fading from recollection. They formed, in reality, a crisis of a most serious and delicate character. A glance at the corre-

spondence of the two governments at Washington and London sufficiently shows this to be the case. The violation of the territory of the United States in the destruction of the "Caroline," however unwarrantable the conduct of the "sympathizers" which provoked it, became, from the moment the British government assumed the responsibility of the act, an incident of the gravest character. On the other hand, the inability of the Government of the United States to extricate McLeod from the risks of a capital trial in a State court, although the government of England demanded his liberation on the ground that he was acting under the legal orders of his superior, presented a difficulty in the working of our system equally novel and important. Other cases had arisen in which important constitutional principles had failed to take effect, for want of the requisite legislative provisions. It is believed that this was the first time in which a difficulty of this kind had presented itself in our foreign relations. A more threatening one can scarcely be imagined. In addition to the embarrassment occasioned by the refusal of the executive and judiciary of New York to yield to the representations of the general government, the violent interference of the mob presented new difficulties of the most deplorable character. If McLeod had been executed, it is not too much to say, that war would at once have ensued. His acquittal averted this impending danger. The conciliatory spirit cannot be too warmly commended with which, on the one hand, the proper reparation was made by Lord Ashburton for the violation of the American territory, and, on the other hand, Congress, by the passage of an appropriate law, provided an effectual legislative remedy for any future similar case. They show with what simplicity and ease the greatest evils may be averted, and the most desirable ends achieved, by statesmen and governments animated by a sincere desire to promote the welfare of those who have placed power in their hands, not for selfish, party purposes, but for the public good.

There is, perhaps, no one of the papers written by Mr. Webster as Secretary of State, in which so much force of statement and power of argument are displayed as in the letter on "impressment." To incorporate a stipulation on this subject into a treaty was, regarding the antecedents of the question,

impracticable. But the reply of Lord Ashburton to Mr. Webster's announcement of the American principle must be considered as acquiescence on the part of his government. It may be doubted whether this odious and essentially illegal practice will ever again be systematically resorted to, even in England.* Considering the advance made by public sentiment on all questions connected with personal liberty, "a hot-press on the Thames" would hardly stand the ordeal of an investigation in Parliament at the present day. It is certain that the right of impressing seamen from American vessels could never be practically asserted in a future war with any other effect than that of adding the United States to the parties in the contest. No refinements in the doctrine of natural allegiance, although their theoretical soundness might equal their subtilty, would be of the least avail here. To force seamen from the deck of a peaceful neutral vessel, pursuing a lawful commerce, and compel them to serve for an indefinite and hopeless period on board a foreign man-of-war, is an act of power and violence to which no nation will submit that is able to resist it. In the case of the United States and Great Britain, that community of language and resemblance in general appearance which may have been considered as palliating the most deplorable results of the exercise of this power, in reality constitute the strongest reason for its abandonment. The unquestionable danger that, with the best intentions, the boarding officer may mistake an

* The following passage from a letter of Robert Walsh, Esq., to the editors of the National Intelligencer, dated Paris, 28th October, 1842, furnishes confirmation of the remark in the text: —

"The former journal [The Times], of the 18th instant, acknowledges that Mr. Webster 'has not exaggerated the hardships and evils which the practice of impressment occasioned in the last war.' It ratifies his ideas of the probable aggravation of them, if the practice should be ever renewed; it would even dispense with press-warrants at home, as adverse to the general principles of British liberty and law; it advises some general measure for the entire abolition of arbitrary impressment both at home and abroad, and it expresses its belief of a very strong probability, that, in the event of a war, no instructions for the impressment of British seamen found in American merchant-vessels will be issued to her Majesty's cruisers. The Standard chimes with the great oracle, and concludes in this strain: 'We may infer that, whatever may be the plan hereafter for managing our navy, impressment will never again be resorted to; this is beyond a doubt; *the practice complained of by Mr. Webster will be abandoned.*'"

American for an Englishman; the certainty that a reckless lieutenant, unmindful of consequences, but bent upon recruiting his ship on a remote foreign station, will pretend to believe that he is seizing the subjects of his own government, whatever may be the evidence to the contrary, are reasons of themselves for denying on the threshold the existence of a right exposed to such inevitable and intolerable abuse.

These and other views of the subject are presented in Mr. Webster's letter to Lord Ashburton of the 8th of August, 1842, with a strength of reasoning and force of illustration not often equalled in a state paper. That letter was spoken of, in the hearing of the writer of this memoir, by one whose name, if it could be mentioned with propriety, would give the highest authority to the remark, as a composition not surpassed by anything in the language. The principles laid down in it may be considered as incorporated into the public law of the United States, and will have their influence beyond our own territorial limits and beyond our own time.

Some disappointment was probably felt, when the treaty of Washington was published, that a settlement of the Oregon question was not included among its provisions. It need not be said that a subject of such magnitude did not escape the attention of the negotiators. It was, however, speedily inferred by Mr. Webster, from the purport of his informal conferences with Lord Ashburton on this point, that an arrangement of this question was not then practicable, and that to attempt it would be to put the entire negotiation to great risk of failure. On the other hand, it was not less certain that, by closing up the other matters in controversy, the best preparation was made for bringing the Oregon dispute to an amicable issue, whenever circumstances should favor that undertaking. Considerable firmness was no doubt required to act upon this policy, and to forego the attempt, at least, to settle a question rapidly growing into the most formidable magnitude. It is unnecessary to say how completely the course adopted has been justified by the event.

We have in the preceding remarks confined ourselves to the topics connected with the treaty of Washington. But other

subjects of great importance connected with the foreign affairs of the country engaged the attention of Mr. Webster as Secretary of State.

The first of these pertained to our controversies with Mexico, and was treated in a letter to M. de Bocanegra, the Mexican Secretary of State and Foreign Relations. The great and unexpected changes which have taken place in that quarter since the date of this correspondence will not impair the interest with which it will be read. It throws important light on the earlier stages of our controversy with that ill-advised and infatuated government. Among the papers in this part of the volume are those which relate to the Santa Fé prisoners and Captain Jones's attack on Monterey.

Under the head of "Relations with Spain" will be found a correspondence of great interest between the Chevalier d'Argaïz, the representative of that government, and Mr. Webster, on the subject of the "Amistad." The pertinacity with which this matter was pursued by Spain, after its adjudication by the Supreme Court of the United States, furnishes an instructive commentary upon the sincerity of that government in its measures for the abolition of the slave-trade. The entire merits of this important and extraordinary case are condensed in Mr. Webster's letters of the 1st of September, 1841, and 21st of June, 1842.

Of still greater interest are the institution of the mission to China, and the steps which led to the establishment of the independence of the Sandwich Islands. The sixth volume [1] of this collection contains the instructions given to Mr. Cushing as commissioner to China, and the correspondence between Mr. Webster and Messrs. Richards and Haalilio on behalf of the Sandwich Islands. At any period less crowded with important events the opening of diplomatic relations with China, and the conclusion of a treaty of commerce with that power, would have been deemed occurrences of unusual importance. It certainly reflects great credit on the administration, that it acted with such promptitude and efficiency in seizing this opportunity of multiplying avenues of commercial intercourse. Nor is less

[1] Volume XII. of the National Edition.

praise due to the energy and skill of the negotiator,* to whom this novel and important undertaking was confided, and who was able to embark from China, on his return homeward, in six months after his arrival, having in the mean time satisfactorily concluded the treaty.

The application of the representatives of the Sandwich Islands to the government of the United States, and the countenance extended to them at Washington, exercised a most salutary and seasonable influence over the destiny of those islands. The British government was promptly made aware of the course pursued by the United States, and was no doubt led, in a considerable degree, by this circumstance, to promise the Hawaiian delegates, on the part of England, to respect the independent neutrality of their government. In the mean time, the British admiral on that station had taken provisional possession of them on behalf of his government, in anticipation of a similar movement which was expected on the part of France. If intelligence of this occurrence had been received in London before the promise above alluded to was given by Lord Aberdeen to Messrs. Richards and Haalilio, it is not impossible that Great Britain might have felt herself warranted in retaining the protectorate of the Hawaiian Islands as an offset for the occupation of Tahiti by the French. As it was, the temporary arrangement of the British admiral was disavowed, and the government restored to the native chief.

Among the papers contained in the sixth volume[1] will be found a correspondence between Mr. Webster and the Portuguese Minister, on the subject of duties on Portuguese wines, and a report of great importance on the Sound duties and the Zoll-Verein, topics to which the recent changes in the Germanic system will henceforward impart a greatly increased importance.

This brief enumeration will of itself sufficiently show the extensive range of the subjects to which the attention of Mr. Webster was called, during the two years for which he filled the Department of State.

The published correspondence probably forms but a small portion of the official labors of the Department of State for the

* Mr. Cushing.

[1] Volume XII. of the National Edition.

period during which it was filled by Mr. Webster. They constitute, nevertheless, the most important part of the documentary record of a period of official service, brief, indeed, but as beneficial to the country as any of which the memory is preserved in her annals. The administration of General Harrison found the United States, in the spring of 1841, on the verge of a war, not with a feeble Spanish province, scarcely capable of a respectable resistance, but with the most powerful government on earth. The conduct of our foreign relations was intrusted to Mr. Webster, as Secretary of State, and in the two years during which he filled that office controversies of fifty years' standing were terminated, new causes of quarrel that sprung up like hydra's heads were settled, and peace was preserved upon honorable terms. The British government, fresh from the conquest of China, perhaps never felt itself stronger than in the year 1842, and a full share of credit is due to the spirit of conciliation which swayed its counsels. Much is due to the wise and amiable minister who was despatched from England on the holy errand of peace; much to the patriotism of the Senate of the United States, who confirmed the treaty of Washington by a larger majority than ever before sustained a measure of this kind which divided public opinion; but the first meed of praise is unquestionably due to the American negotiator. Let the just measure of that praise be estimated, by reflecting what would have been our condition during the last few years, if, instead of, or in addition to, the war with Mexico, we had been involved in a war with Great Britain.

Chapter IX

Mr. Webster resigns his Place in Mr. Tyler's Cabinet. — Attempts to draw public Attention to the projected Annexation of Texas. — Supports Mr. Clay's Nomination for the Presidency. — Causes of the Failure of that Nomination. — Mr. Webster returns to the Senate of the United States. — Admission of Texas to the Union. — The War with Mexico. — Mr. Webster's Course in Reference to the War. — Death of Major Webster in Mexico. — Mr. Webster's unfavorable Opinion of the Mexican Government. — Settlement of the Oregon Controversy. — Mr. Webster's Agency in effecting the Adjustment. — Revival of the Sub-Treasury System and Repeal of the Tariff Law of 1842. — Southern Tour. — Success of the Mexican War and Acquisition of the Mexican Provinces. — Efforts in Congress to organize a Territorial Government for these Provinces. — Great Exertions of Mr. Webster on the last Night of the Session. — Nomination of General Taylor, and Course of Mr. Webster in Reference to it. — A Constitution of State Government adopted by California prohibiting Slavery. — Increase of Antislavery Agitation. — Alarming State of Affairs. — Mr. Webster's Speech for the Union. — Circumstances under which it was made, and Motives by which he was influenced. — General Taylor's Death, and the Accession of Mr. Fillmore to the Presidency. — Mr. Webster called to the Department of State.

MR. WEBSTER remained in the Department of State but a little over two years. His last act was the preparation of the instructions of Mr. Cushing, who had been appointed Commissioner to China. Difficulties had occurred the summer before, between President Tyler and some of the members of his Cabinet, and all of those gentlemen, with the exception of Mr. Webster, tendered their resignations, which were accepted. Hard thoughts were entertained of Mr. Webster in some quarters for continuing to hold his seat after the resignation of his colleagues. President Tyler, however, had in no degree withdrawn his confidence from Mr. Webster in reference to the foreign affairs of the country, nor interfered with the administration of his department, and Mr. Webster conceived that the interests involved in his remaining at his post were far too important to be sacrificed to punctilio. His own sense of duty in this respect was confirmed by the unanimous counsel of the Massachusetts delegation in Congress, and by judicious friends in all parts of the country. In fact, it will be remem-

bered that when difficulties sprung up between Mr. Tyler and the Whig party in Congress, in 1842, the Whig press generally throughout the country called upon the members of the Cabinet appointed by General Harrison to retain their places till they should be removed by Mr. Tyler.

Mr. Webster remained in private life during the residue of President Tyler's administration, occupied as usual with professional pursuits, and enjoying in the appropriate seasons the retirement of his farm. He endeavored by private communications to arouse the feeling of the North to the projects which he perceived to be in agitation for the annexation of Texas, but the danger was regarded at that time as too remote to be contended against. A short time only elapsed before the fulfilment of his anticipations was forced upon the country, with fearful urgency, and a train of consequences of which it will be left to a late posterity to witness the full development. Between the years 1843 and 1845 the fortunes of the United States were subjected to an influence, for good or for evil, not to be exhausted for centuries.

The nomination of Mr. Clay to the Presidency in 1844 was cordially supported by Mr. Webster. He took the field, as in the summer of 1840, in favor of General Harrison. The proofs of the untiring zeal with which he entered into the canvass, and of the great power and fertility with which he discussed the various topics of the day, will be seen in the second volume [1] of the present collection. It has, however, been found impossible to insert more than a selection of the speeches made by him during the campaign. Others not inferior in merit and interest were made by him in the course of the summer and autumn of 1844.

It is well known that the result of this election was decisive of the question of the annexation of Texas. The opinions expressed by Mr. Van Buren against the immediate consummation of that project had prevented his receiving the nomination of the Baltimore Convention. Mr. Clay was pledged against the measure, and Mr. Polk was selected as its sure friend. If in 1844 the friends of Mr. Van Buren, instead of giving in their adhesion to the Baltimore nomination (which was in fact turn-

[1] Volume III. of the National Edition.

ing the scale in favor of Texas), had been prepared, as in 1848, to support a separate nomination, or even if the few thousand votes cast by the "Liberty party" against Mr. Clay had been given in his favor, he would have been chosen President of the United States, to the indefinite postponement of the annexation of Texas and the Mexican war, with all their consequences. But in great things as in small, men throw away the substance while they grasp at the shadow.

At the first session of the Twenty-ninth Congress (1845–46), Mr. Webster took his seat as the successor of Mr. Choate in the Senate of the United States. The question of the admission of Texas was decided at the very commencement of the session. It was opposed by Mr. Webster. To all the other objections to the measure in his mind was added that of unconstitutionality. The annexation was now brought about simply by a joint resolution of the two Houses, after it had been found impossible to effect it by treaty, the only form known to the Constitution by which a compact can be entered into with a foreign power. Mr. Jefferson was of opinion in 1803, that even a treaty with France was not sufficient for the annexation of Louisiana, but that an amendment of the Constitution was necessary for that purpose. In 1845 the executive and a majority of Congress, having failed to carry the ratification of a treaty of annexation by the constitutional majority, scrupled not to accomplish their purpose by a joint resolution of the two Houses; and this measure was effected under the lead of statesmen who claim to construe the Constitution with literal strictness. Events like these furnish a painful illustration of the frailty of constitutional restraints as a barrier against the consummation of the favorite measures of a dominant party.

The great event of the administration of President Polk was the war with Mexico. The time has not yet arrived when the counsels under which this war was brought about can be fully unfolded. On the 2d of December, 1845, in his first annual message, having communicated to Congress the acceptance by Texas of the terms of annexation offered by the joint resolution, President Polk thus expressed himself: —

"This accession to our territory has been a bloodless achievement. No arm of force has been raised to produce the result. The sword

has had no part in the victory. We have not sought to extend our territorial possessions by conquest, or our republican institutions over a reluctant people. It was the deliberate homage of each people to the great principle of our federative Union."

The proffered annexation of Texas had been declined both by General Jackson and Mr. Van Buren, on the ground that, unless made with the consent of Mexico, it would involve a war with that power. That this would be the effect was not less certain on the 2d of December, 1845, when Congress were congratulated on the "bloodless" acquisition, than it was when, on the 13th of January following, General Taylor was instructed to occupy the left bank of the Rio del Norte. In fact, in the very message in which President Polk remarks to Congress "that the sword had had no part in the victory," he gives them also the significant information, that, upon the earnest appeal both of the Congress and convention of Texas, he had ordered "an efficient military force to take a position between the Nueces and the Del Norte."

This force, however efficient in proportion to its numbers and in virtue of the gallantry and skill of its commander, was found to be inadequate to sustain the brunt of the Mexican arms. Rapid movements on the part of Generals Ampudia and Arista, commanding on the frontier, seriously endangered the safety of General Taylor's force, and it became necessary for Congress to strengthen it by prompt reinforcements. In this way the war was commenced. No formal declaration had taken place, nor had it been in the power of Congress to make known its will on the subject, till an absolute necessity arose of reinforcing General Taylor, and the subject had ceased to be one for legislative discretion.

Under these circumstances it was of course impossible for Mr. Webster to approve the war. It had been brought on by the executive will, and without the concurrence of Congress till Congress had ceased to have an option, and its well-known ulterior objects were such as he could not but contemplate with equal disapprobation and alarm. Still, however, in common with the body of his political friends, in and out of Congress, he abstained from all factious opposition, and all measures

calculated to embarrass the Government. The supplies were voted for by him, but he never ceased to urge upon the President to pursue a magnanimous policy toward the distracted and misgoverned country with which we had been brought in collision. Nor did his opinions of the character of the war lead him to discourage the inclination of his younger son, Mr. Edward Webster, to accept a commission in the regiment of Massachusetts Volunteers. This young gentleman had evinced an energy beyond his years, and practical talent of a high order, as a member of the commission for marking the boundary line between Maine and the British Provinces under the treaty of Washington. His friends looked forward with confidence to his running a brilliant military career. These hopes, like those which accompanied so many other gallant and patriotic spirits to the scene of action, were destined to be early blasted. Major Webster fell a victim to the labors and exposures of the service, and to the climate of the country, under the walls of Mexico.

To avoid all misconception, it may be proper to state that Mr. Webster has at all times entertained an unfavorable opinion of the various administrations by which Mexico, almost ever since her revolution, has been successively misgoverned. He has felt constrained to regard the greater part of them as military factions, bent more upon supplanting each other than upon promoting the welfare of their country. He was fully aware of the justice of many of the complaints of citizens of the United States for wrongs inflicted and justice withheld. Both while in the executive government himself, and as a member of Congress, he had uniformly expressed himself in terms of severe condemnation of the conduct of the Mexican government in withholding or delaying redress; and he foresaw and foretold that, in obstinately refusing to recognize the independence of Texas, she was laying up for herself a store of consequences the most humiliating and disastrous. Nothing but the most deplorable infatuation could have led the government of Mexico to suppose, that, after the independence of Texas had been recognized by the United States, Great Britain, France, and Belgium, it would be impossible for a power as feeble as that of Mexico to reduce the rebellious province to submission. If any confirmation of these statements is needed, it may be found

in Mr. Webster's letter to M. de Bocanegra, in the sixth volume [1] of this collection.

The settlement of the controversy with England relative to the boundary of Oregon was effected in the first year of Mr. Polk's administration. The foundations for this adjustment had long been laid; in fact, as long ago as the administration of Mr. Monroe, the United States had offered to England the obvious basis of the extension of the forty-ninth degree of latitude to the Pacific. Great Britain allowed herself to be influenced by the Hudson's Bay Company so far as to insist upon following the course of the Columbia down to the sea. She even took the extravagant ground that, although the United States, by the Louisiana and Florida treaties, combined the Spanish and the French titles with that of actual contiguity and prior discovery of the Columbia River, they had no exclusive title to *any* portion of the territory, but that it was all subject to her own joint and rival claim. This unreasonable pretension brought the two countries to the verge of war. The Baltimore Convention, in the year 1844, set up a claim, equally unreasonable, to the whole of the territory. President Polk in his inaugural message, quoting the words of the resolution of the Baltimore Convention, pronounced our title to the territory to be "clear and unquestionable."

The assertion of these opposite extremes of pretension happily resulted in the final adjustment on the forty-ninth degree. Mr. Webster had uniformly been of opinion that this was the fair basis of settlement. Had he supposed that an arrangement could have been effected on this basis with Lord Ashburton, he would gladly have included it in the treaty of Washington. After Mr. Webster's retirement from the Department of State, it is stated by President Polk that Mr. Upshur instructed Mr. Everett to offer that line to the British government; but the negotiation had in the mean time, by the appointment of Mr. Pakenham, been transferred to Washington. The offer of the forty-ninth degree of latitude was renewed to Mr. Pakenham, but accompanied with conditions which led him to decline it, and to express the hope that the United States would make "some further proposal for the

[1] Volume XII. of the National Edition.

settlement of the Oregon question more consistent with fairness and equity, and with the reasonable expectations of the British government." The offer thus injudiciously rejected was withdrawn by the administration. In this dangerous juncture of affairs, the following incidents occurred, which we give in the words of the London Examiner: —

"In reply to a question put to him in reference to the present war establishments of this country, and the propriety of applying the principle of arbitration in the settlement of disputes arising among nations, Mr. McGregor, one of the candidates for the representation of Glasgow took occasion to narrate the following very important and remarkable anecdote in connection with our recent, but now happily terminated differences with the United States on the Oregon question. At the time our ambassador at Washington, the Hon. Mr. Pakenham, refused to negotiate on the forty-ninth parallel of north latitude as the basis of a treaty, and when by that refusal the danger of a rupture between Great Britain and America became really imminent, Mr. Daniel Webster, formerly Secretary of State to the American government, wrote a letter to Mr. McGregor, in which he strongly deprecated Mr. Pakenham's conduct, which, if persisted in and adopted at home, would, to a certainty, embroil the two countries, and suggested an equitable compromise, taking the forty-ninth parallel as the basis of an adjustment. Mr. McGregor agreeing entirely with Mr. Webster in the propriety of a mutual giving and taking to avoid a rupture, and the more especially as the whole territory in dispute was not worth £20,000 to either power, while the preparations alone for a war would cost a great deal more before the parties could come into actual conflict, communicated the contents of Mr. Webster's letter to Lord John Russell, who at the time was living in the neighborhood of Edinburgh, and, in reply, received a letter from Lord John, in which he stated his entire accordance with the proposal recommended by Mr. Webster, and approved of by Mr. McGregor, and requested the latter, as he (Lord John) was not in a position to do it himself, to intimate his opinion to Lord Aberdeen. Mr. McGregor, through Lord Canning, Under-Secretary for the Foreign Department, did so, and the result was, that the first packet that left England carried out to America the proposal, in accordance with the communication already referred to, on which the treaty of Oregon was happily concluded. Mr. McGregor may, therefore, be very justly said to have been the instrument of preserving the

peace of the world; and for that alone, even if he had no other services to appeal to, he has justly earned the applause and admiration, not of his own countrymen only, but of all men who desire to promote the best interests of the human race."

Without wishing to detract in any degree from the praise due to Mr. McGregor for his judicious and liberal conduct on this occasion, the credit of the main result is exclusively due to his American correspondent. A powerful influence was ascribed also to an able article in the Edinburgh Review for April, 1845, in which the reasonableness of this basis of settlement was set forth with great ability.

The first session of the Twenty-ninth Congress was signalized by the revival of the sub-treasury system, and the overthrow of the tariff of 1842. At a moment when the public finances were, in reference to the means of collection, custody, and transfer, in a sound and healthy condition, the administration deemed it expedient to subject the country and the treasury to the hazard and inconvenience of a change. Mr. Webster spoke with equal earnestness and power against the renewal of experiments which had already proved so disastrous; but the bill was carried by a party vote. The same success attended the President's recommendation of an entire change in the revenue system, by which, instead of specific duties, *ad valorem* duties were to be assessed on the foreign valuation. Various other changes were made in the tariff established in 1842, equally tending to depress our own manufactures, and to give a preference to foreign over native labor, and this even in cases where no benefit could be expected to accrue to the treasury from the change. Mr. Webster made a truly Herculean effort against the government project, in his speech of the 25th and 26th of July, 1846, but the decree had gone forth. The scale was turned by the Senators from the new State of Texas, which had been brought into the Union by the votes of members of Congress whose constituents had the deepest interest in sustaining the tariff of 1842.

In the spring of 1847, after the adjournment of Congress, Mr. Webster undertook a tour to the South. His object was to pass by the way of the Atlantic States to New Orleans, and to ascend the Mississippi. He had never seen that part of the Union,

and promised himself equal gratification and instruction from an opportunity, however brief, of personal inspection. He was ever of opinion that higher motives than those of curiosity and recreation should lead the citizens of different parts of the country to the interchange of visits of this kind. That they had become so much less frequent than they were in former years he regarded as one of the inauspicious features of the times. He was accompanied on this excursion by his family. They passed hastily through Virginia and North Carolina to South Carolina. At Charleston he was received with the most distinguished attention and cordiality. He was welcomed on his arrival by an assemblage of the most respectable citizens. Entertainments were given him by the New England Society of Charleston and by the Charleston Bar. At these festivals the sentiments and speeches were of the most cordial description. Similar hospitalities and honors were paid him at Columbia, Augusta, and Savannah. No trace of sectional or party feeling detracted from the warmth of his reception. His visit was everywhere regarded as an interesting public event. Unhappily, his health failed him on his arrival at Savannah; and the advance of the season made it impossible for him to execute the original project of a journey to New Orleans. He was compelled to hasten back to the North.

Meantime events of higher importance were in progress. Success crowned our arms in the Mexican war. The military skill, gallantry, and indomitable resolution of the great captains to whom the chief command of the war had been committed (though not by the first choice of the administration), aided by the spirit and discipline of the troops, achieved the conquest of Mexico. Peace was dictated to her from Washington, and a treaty concluded, by which extensive portions of her territory, comprising the province of New Mexico and a considerable part of California, were ceded to the United States. Mr. Webster, foreseeing that these cessions would prove a Pandora's box of discord and strife between the different sections of the Union, voted against the ratification of the treaty. He was sustained in this course by some Southern Whig Senators, but the constitutional majority deemed any treaty better than the continuation of the war.

With the restoration of peace, the question what should be done with the territories presented itself with alarming prominence. Formidable under any circumstances, it became doubly so in consequence of the discovery of gold in California, and the prodigious rush to that quarter of adventurers from every part of the world. Population flocked into and took possession of the country, its ancient political organization, feeble at best, was subverted, and the immediate action of Congress was necessary to prevent a state of anarchy. The House of Representatives passed a bill providing for the organization of a territorial government for the provinces newly acquired from Mexico, with the antislavery proviso, borrowed from the Ordinance of 1787. This bill failed to pass the Senate, and nothing was done at the first session of the Thirtieth Congress to meet the existing emergency in California.

At the second session, bills were introduced into the Senate for erecting California and New Mexico into States; the question of slavery to be left to the people of the States respectively. These bills, however, did not pass the Senate. A few days before the close of the session, Mr. Walker of Wisconsin moved an amendment to the general appropriation bill for the support of government, providing for the extension of the revenue laws of the United States over California and New Mexico; to extend the provisions of the Constitution of the United States to these territories, together with all the laws applicable to them; and granting authority to the President to appoint the officers necessary to carry these provisions into effect. This amendment prevailed in the Senate, but was further amended in the House, by adding to it the "Wilmot Proviso." The Senate refused to accede to this amendment of their amendment, and the two Houses were brought to the verge of a disagreement, which would have prevented the passage of the general appropriation bill, and stopped the wheels of government. The debates in the Senate were of the most impassioned kind, and were protracted till five o'clock of Sunday morning, the 4th of March; when the Senate, on the suggestion of Mr. Webster, disagreed to the amendment of the House relative to California, and at the same time receded from their own amendment, and thus passed the general appropriation bill, as it originally came

from the House. All provision for the territories was necessarily sacrificed by this course; but a bill which had previously passed the House, extending the revenue laws of the United States to California, was passed by the Senate, and rescued the people of California from an entire destitution of government on behalf of the United States. The Senate on this occasion was, for the first time since the adoption of the Constitution, on the verge of disorganization; and it was felt throughout the day and night, that it was saved from falling into that condition mainly by the parliamentary tact and personal influence of Mr. Webster. This tribute was paid to Mr. Webster's arduous exertions on that occasion by a member of Congress warmly opposed to him.

Not the least important consequence of the Mexican war was the political revolution in the United States of which it was the cause. When the policy of invading and conquering Mexico was determined upon, it was probably regarded by the administration as a measure calculated to strengthen their party. Opponents were likely to expose themselves to odium by disapproving the war. The commanding generals were both Whigs, and one of them had been named as a candidate for the Presidency. It was probably thought that, if they succeeded, the glory would accrue to the administration; if they failed, the discredit would fall upon themselves.

If anticipations like these were formed, they were signally disappointed. A series of the most brilliant triumphs crowned the arms both of General Taylor and General Scott. Those of General Taylor were first in time; and as they had been preceded by doubts, anxieties, and, in the case of Buena Vista, by rumors of disaster, they took the stronger hold of the public mind. The nomination for the Presidency was not reserved for the Whig convention. It was in effect made at Palo Alto and Monterey, and was confirmed at Buena Vista. It was a movement of the people to which resistance was in vain.

Statesmen and civilians, however, might well pause for a moment. The late experience of the country, under a President elected in consequence of military popularity, was not favorable to a repetition of the experiment; and General Tay-

lor was wholly unknown in political life. At the Whig convention in Philadelphia other distinguished Whigs, General Scott, Mr. Clay, and Mr. Webster, had divided the votes with General Taylor. He was, however, selected by a great majority as the candidate of the party. Mr. Webster took the view of this nomination which might have been expected from a veteran statesman and a civilian of forty years' experience in the service of the country. He had, in common with the whole Whig party, in General Jackson's case, opposed the nomination of a military chieftain. How many Whigs who hailed General Taylor's nomination with enthusiasm had as good reasons for so doing as Mr. Webster had for the moderation and reserve with which he spoke of it in his Marshfield speech? Few persons, at the present day, will find in that speech anything, with respect to General Taylor's nomination, from which a candid and impartial judgment would dissent; and it is well known, that, in the progress of the canvass, that nomination found no firmer supporter than Mr. Webster. On his accession to the Presidency, General Taylor found Mr. Webster disposed and prepared to give his administration a cordial and efficient support.

In the summer and autumn of 1849 events of the utmost importance occurred in California. The people of that region, left almost entirely without a government by Congress, met in convention to form a constitution; and although nearly half of the members who were new-comers were from the Southern States, they unanimously agreed to the prohibition of slavery. The constitution prepared by the convention was accepted by the people, and with it they applied for admission to the Union. General Riley, who had been appointed by the President to command the forces in that territory, was instructed to facilitate, as far as it was in his power, the assembling of a convention; and the course pursued by the convention and the people in the formation of the constitution was understood to be in all respects approved by President Taylor.

Other occurrences, however, had in the mean time taken place, which materially increased the difficulties attending the territorial question. The subject of slavery had for fifteen or twenty years been agitated with steadily increasing warmth,

and for the latter portion of the period with growing violence. On the acquisition of the Mexican provinces, the representatives of the non-slaveholding States generally deemed it their duty to introduce into the acts passed for their government a restriction analogous to the antislavery proviso of the Ordinance of 1787. A motion to this effect having been made by Mr. Wilmot of Pennsylvania, by way of amendment to one of the appropriation bills passed during the war, the restriction has obtained the name of the "Wilmot Proviso." This motion in the House of Representatives was extensively seconded by the press, by popular assemblies, and by legislative resolutions throughout the non-slaveholding States, and caused a considerable increase of antislavery agitation.

The South, of course, took an interest in the question not inferior to that of the North. The extension of the United States on the southwestern frontier has long been a cardinal point in the policy of most Southern statesmen. The application of an antislavery proviso to territories acquired by conquest in that quarter came into direct conflict with this policy. Meetings were accordingly held at Washington during the first session of the Thirtieth Congress, attended by a majority of the members from the slaveholding States, to take into consideration the measures proper to be adopted. At one of these meetings a sub-committee was appointed, of which Mr. Calhoun was chairman, to prepare an address "of the Southern delegates to their constituents." At a subsequent meeting a substitute for this address was submitted by Mr. Berrien of Georgia, under the title of an address "to the people of the United States." The original paper was, however, adopted in preference, and received the signatures of forty-eight of the members of Congress from the slaveholding States. Of these all but two were of the Democratic party.*

These proceedings contributed materially to increase the discontents existing at the South. Nor was the progress of excitement less rapid at the North. The nomination of General Taylor by the Whig convention, accompanied by the refusal

* In compiling this narrative much use has been made of the third volume of the work entitled "The Statesman's Manual," a most useful work of reference.

of that convention to countenance the Wilmot Proviso, led to the organization of the Free Soil party in the non-slaveholding States. In the summer of 1848, a convention of delegates of this party assembled at Buffalo in New York, at which an antislavery platform was adopted, and Mr. Van Buren was nominated as a candidate for the Presidency.

These occurrences and the state of feeling which they created, or indicated, appeared to Mr. Webster to constitute a crisis in the condition of the country of a most formidable description. Opinion at the North and South had, in his judgment, either reached, or was rapidly reaching, a point at which the co-operation of the two sections of the country in carrying on the government as coequal members of the Federal Union would cease to be practicable. The constitutional opinions and the views on the subject of slavery set forth in Mr. Calhoun's address he deemed to be such as could never be acquiesced in by the non-slaveholding States. On the other hand, the organization of a party on the basis of antislavery agitation at the North appeared to him equally menacing to the Union. The professions of attachment to the Union and the Constitution made on both sides, and often, no doubt, in entire good faith, did but increase the danger, by their tendency to produce misapprehension and self-deception as to the really irreconcilable nature of the opposite extremes of opinion.

It was his profound and anxious sense of the dangers of the Union, in this crisis of affairs, which reconciled Mr. Webster to the nomination of General Taylor. He saw in his position as a citizen of a Southern State and a slaveholder the basis of support to his administration from that quarter of the Union; while his connection with the Whig party, the known moderation of his views, with his declared sentiments on the subject of the Presidential veto, were a sufficient ground for the confidence of the North. In fact, in the existing state of things, it was soon apparent that there was no other candidate of either party so well calculated to allay sectional differences, and guide the vessel of state over the stormy sea of excitement and agitation.

But whatever reliance might justly have been placed upon the character and disposition of General Taylor, the prospect of affairs was sufficiently dark and inauspicious. Thoughtful

persons looked forward to a struggle on the territorial question, at the first session of the Thirty-first Congress, which would convulse the country. In this state of things the event which we have already alluded to took place, and California presented herself for admission as a State, with a constitution prohibiting slavery. As California was the only portion of the Mexican territory in reference to which the question was of practical importance, Mr. Webster derived from this unexpected and seasonable occurrence a gleam of hope. It removed a topic of controversy in reference to which it had seemed hopeless to propose any terms of compromise; and it opened, as it were providentially, the door for an understanding on other points, on the basis of carrying into execution existing compacts and constitutional provisions on the one hand, and not strenuously insisting, on the other hand, upon applying the antislavery proviso where, as in Utah and New Mexico, he was persuaded it could be of no practical importance.

On these principles, and with this object in view, Mr. Webster made his great speech of the 7th of March, 1850.

It would be too much to expect, in reference to a subject of so much difficulty, and one on which the public mind has been so greatly excited, that a speech of this description should find universal favor in any part of the country. It is believed, however, that by the majority of patriotic and reflecting citizens in every part of the United States, while on single topics there may be differences of opinion, it has been regarded as holding out a practical basis for the adjustment of controversies, which had already gone far to dissolve the Union, and could not be much longer pursued without producing that result. If those who have most strongly expressed their dissent from the doctrines of the speech (we do not, of course, allude to the mere clamor of political or personal enemies) will pause from the work of denunciation, and make the attempt themselves to lay down *a practicable platform* on which this great controversy can in fact be settled, and the Union of the States perpetuated, they will not find it so hard to censure what is done by others as to do better themselves. It is quite easy to construct a Southern platform or a Northern platform; the difficulty is to find a basis on which South and North will be able and *willing*

to stand together. Of all those who have condemned the views of Mr. Webster, who has gone further than he, in the speech of the 7th of March, 1850, to furnish such a basis? Or rather, we may ask, who of those that have been loudest in condemnation of his course has taken a single step towards effecting this paramount object?

Mr. Webster's thoughts are known to have been earnestly and profoundly employed on this subject from the commencement of the session. He saw beforehand the difficulties and the dangers incident to the step which he adopted, but he believed that, unless some such step was taken in the North, the separation of the States was inevitable. The known state of opinion of leading members of Congress led him to look for little support from them. He opened the matter to some of his political friends, but they did not encourage him in the course he felt bound to pursue. He found that he could not expect the co-operation of the members of Congress from his own State, nor that of many of the members from the other Northern States. He gave up all attempt to rally beforehand a party which would sustain him. His own description of his feelings at the time was, "that he had made up his mind to embark alone on what he was aware would prove a stormy sea, because, in that case, should final disaster ensue, there would be but one life lost." But he believed that the step which he was about to take would be sanctioned by the mass of the people, and in that reliance he went forward.

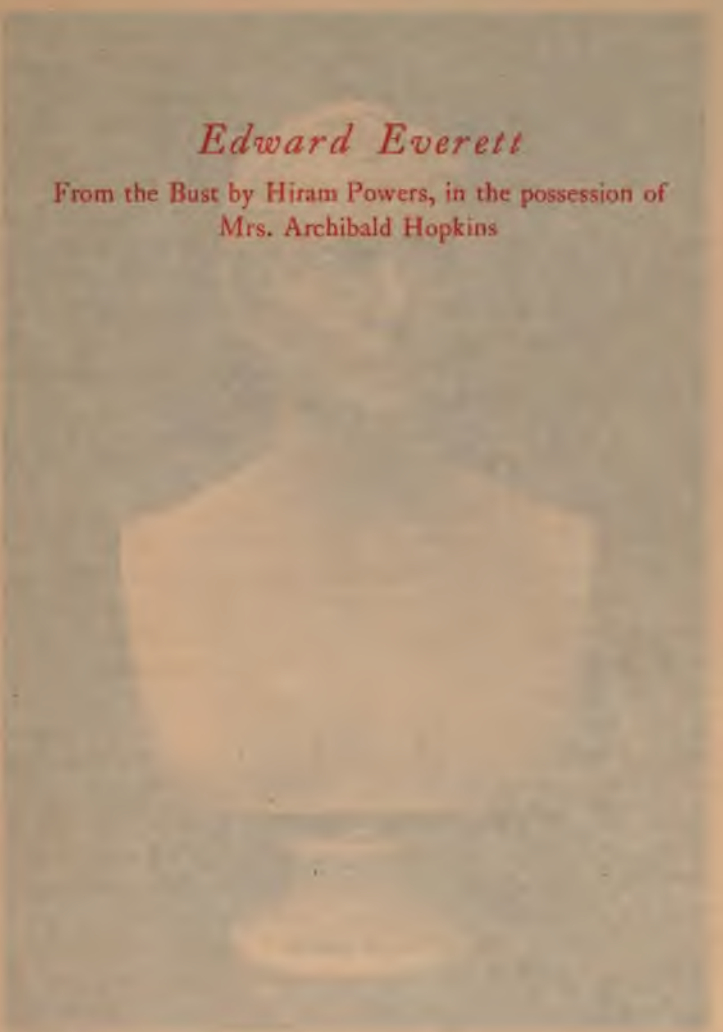
The speech of the 7th of March was not the only elaborate and thoughtful contribution made by Mr. Webster to the compromise debate. Besides many valuable suggestions from time to time, especially a bill offered as an amendment to the Fugitive Slave Law and containing provisions for a trial by jury, he delivered on the 17th of July a speech analyzing the compromise measure as he proposed to vote for it, showing how much both North and South would positively gain, and how little they could be supposed to lose by its passage. At the close of what he had cause to think was his last speech in the Senate, he pronounced a few words of encomium on his own State, which for prophetic beauty do not yield to those in the reply to Hayne: —

"I believe, Sir, that if commotion shall shake the country there will be one rock for ever, as solid as her granite hills, for the Union to repose upon. I believe that if disaster arise, bringing clouds which shall obscure the ensign over her and over us, there will be one star that will but burn the brighter amid the darkness of that night; and I believe that if in the remotest ages (I trust they will be infinitely remote) an occasion shall occur when the sternest duties of patriotism are demanded and to be performed, Massachusetts will imitate her own example, and that, as at the breaking out of the Revolution she was the first to offer the outpouring of her blood and her treasure in the struggle for liberty, so she will be hereafter ready, when the emergency arises, to repeat and renew that offer, with a thousand times as many warm hearts, and a thousand times as many strong hands."

His concluding words were these: —

"For myself, I propose, Sir, to abide by the principles and purposes which I have avowed. I shall stand by the Union, and by all who stand by it. I shall do justice to the whole country, according to the best of my ability, in all I say, and act for the good of the whole country in all I do. I mean to stand upon the Constitution. I need no other platform. I shall know but one country. The ends I aim at shall be my country's, my God's, and Truth's. I was born an American; I will live an American; I shall die an American; and I intend to perform the duties incumbent on me in that character to the end of my career. I mean to do this with absolute disregard of personal consequences. What are personal consequences? What is the individual man, with all the good and evil that may betide him, in comparison with the good or evil which may befall a great country in a crisis like this, and in the midst of great transactions which concern that country's fate? Let the consequences be what they will, I am careless. No man can suffer too much, and no man can fall too soon, if he suffer or if he fall, in defence of the liberties and constitution of his country."

This speech was delivered within a week after the lamented death of President Taylor. Four days after its delivery Mr. Webster was invited by the new President, Mr. Fillmore, to return to the Secretaryship of State; and the rest of his life — about two years and three months — was passed in that office.



Edward Everett

From the Bust by Hiram Powers, in the possession of
Mrs. Archibald Hopkins

A. W. Elson & Co., Boston.

Note

THIS memoir, up to this point, is that prepared for the edition of Mr. Webster's Works published in 1851, by Mr. Edward Everett, his lifelong friend and his successor in the State Department. The last two pages of that work have been transferred to the end of the tenth chapter, and the paragraph immediately preceding, a brief summary of Mr. Webster's services as Secretary in 1850 and 1851, has been omitted, — while the remarks on the speech of 17th July have been added by the author of the following chapter.

In preparing this, he has availed himself of portions of an article, also prepared by Mr. Everett, in the sixteenth volume of the first edition of Appleton's American Cyclopædia. These extracts are made by the kind permission of Messrs. D. Appleton and Company.

WILLIAM EVERETT.

QUINCY, MASS., 27 April, 1902.

Chapter X

Personal Appearance and Habits of Mr. Webster. — A Member of Mr. Fillmore's Cabinet. — Efforts to rally the Whigs to a support of the Compromise. — Speech of 4 July, 1851. — Foreign questions: Hungary, Cuba, Nicaragua. — Accident. — Action of the Whig Nominating Convention. — Reception at Boston. — Last Illness and Death. — Remarks at Public Services.

At the time when Mr. Webster left the Senate to enter the Cabinet of President Fillmore, few public men were better known to their countrymen. He had visited many parts of the Union, and wherever he went was the object of universal attraction. His personal appearance contributed in no small degree to his fame. It could never be forgotten by one who had seen him, and, being readily caught by artists, was familiar to thousands who never saw him. His person was imposing, of commanding height and well proportioned; [1] his head of great size; his eye deep-seated and lustrous. His complexion was dark, and his hair raven black. He retained to a great extent the habits of his boyhood: went to bed and rose early, and despatched the business of the day as much as possible in the morning hours. He was extremely fond of field sports, and was a remarkably good shot, and a keen fisherman.

It was for the gratification of these tastes that he originally resorted to Marshfield, a quiet old town on the eastern coast of Massachusetts, in the part known as Green Harbor. Here he was for many summers the guest of Capt. John Thomas, who owned a portion of the estate originally allotted to Gov. Edward Winslow. As Captain Thomas advanced in years, he readily consented to Mr. Webster's buying the place, to which

[1] The great portliness of figure which appears in many pictures and statues was characteristic only of his later years. — [W. E.]

the purchaser attached the uncommon condition that the vender should continue to live there for the rest of his days. Mr. Webster made further purchases of land, till the property became an extensive one, affording not only ample opportunity for his sporting tastes, but also for farming. Here, and on the paternal acres at Franklin, N. H., his happiest days were passed. He understood agriculture theoretically and practically, and took great pride in his fine stock and large crops. Besides these farms, Mr. Webster, after leaving Portsmouth, occupied at different times various houses in Boston and in Washington. His last residence at the capital was near the corner of Sixth and D Streets, close by the building formerly occupied by the Unitarian Society; in Boston his principal home was where Summer Street curves into High Street, looking down South Street, — in his lifetime a very eligible and beautiful site. The dwelling was later owned and occupied by the Hon. Peter C. Brooks. In all his residences and travels Mr. Webster exercised a generous hospitality, and showed strong social tastes; and his conversational powers, both serious and playful, were rarely equalled.

That Mr. Webster's personality was striking and impressive, has become one of the commonplaces of our national biography; but that it was to a like extent attractive and charming is perhaps not so well known. Indeed, more than one account of him has appeared conveying the idea that the awe inspired by his presence was such as to discourage, and even repel anything like intimacy, or affectionate confidence. Nothing can be less consonant with facts. Mr. Webster's whole manner, however majestic it might appear at first sight, had a winning charm of its own equal to that of Wilberforce, or Irving. He was a man to be loved and trusted; and loved and trusted he was by a host of friends, old and young, to whom he was never so great as in his effusive kindness. Children were especially won by him; and that, because with his playful gentleness and sweetness was mingled a treatment very much akin to respect — the respect for men and women yet to be.

Allusion has been made to the change in his personal appearance shown by his later, as compared with his earlier portraits. There might be noticed a corresponding change in

manner, though assuredly not in temper or character. In the earlier and middle part of his life, his associates were largely those whom he could not but regard as worthy to be such; whose talents and experience called forth in generous rivalry his utmost exertions to maintain the superiority which they cheerfully acknowledged; and while mingling with them, he was always frank and easy. In later years a different class of men gathered around him, who breathed in his ear an adulation which his truer friends felt was unworthy of him and of them. It was the object of such attendants to set him on a pedestal which should be hard of approach, and under their influence he seemed at times to exhibit a stateliness unnatural to his sweet nature, which disappeared at once at the touch of those men and women, who, with all their love and respect, felt no fear of the greatness which was beyond, but not above them.

His constitution was naturally strong, and his health generally good; but he suffered seriously for many years, and especially towards the end of his life, from hay fever, or autumnal catarrh. He believed he could tell the exact day — 23 August — of its annual return; and for some weeks thereafter he was regularly in great suffering. It had not been discovered in his lifetime that this complaint is essentially one of locality, and may be evaded by a change of abode. In one year, when Mr. Webster had occasion to go beyond the limits of his usual summer resorts, he remarked that he was free from his enemy; but it never seemed to have occurred to him that by the same means he might be annually free. One of these attacks occurred with great virulence about the time of his leaving the Senate, the period at which this chapter opens.

The death of President Taylor greatly distressed all patriotic Americans, and threatened to involve the already stormy sky of politics in new darkness. He was taken sick on the 4th of July, 1850, and died in one week of a kind of bilious cholera, a complaint always serious at seventy years of age. His reputation for sound and solid statesmanship had grown steadily since his inauguration. A Southern man himself, he had withstood every Southern movement looking to disunion with a firmness and simplicity equal to Jackson's, and with far greater dignity and elevation of tone. No one could doubt that his constitu-

tional successor would have a hard task to keep the peace between North and South.

That successor, Vice-President Fillmore of New York, is hardly appreciated at this day. Though a man of stainless virtue, who had risen to the highest position in spite of disheartening obstacles in boyhood, and through a succession of eminently useful services in his native State and in Congress, he was little known to the country at large in comparison with Mr. Webster, Mr. Clay, or Mr. Corwin, at the time he became President. In that office his course, strictly national and impartial, alienated the "Free Soil" Whigs at home, without conciliating the Southern "fire-eaters"; and though as late as 1856 his name was a rallying cry for moderate men, he is probably regarded at this day not only as a cautious man, which he certainly was, but as a timid time-server; this as certainly he was not, but a chief magistrate of eminent prudence and firmness. President Taylor's cabinet having resigned in a body, Mr. Fillmore in a very few days offered Mr. Webster the post of Secretary of State, and the offer was accepted on the 21st of July, 1850.

It is certain that Mr. Webster did not covet a return to the State Department. The offer came at a time when he was engaged in an arduous controversy in the Senate, where his help was of the utmost importance to his side. There appeared no such pressing and honorable demand for his experience and vigor in foreign affairs as there had been in 1841, and he might well believe that he was throwing away a chance of patriotic work in one direction without assurance of an equal opportunity elsewhere. The greater confinement to Washington he might well fear would have an injurious effect upon his health, as indeed proved to be the case; and the sacrifice of his law practice would be no slight loss from a money point of view. His correspondence shows that the transfer filled him with anxiety.

And though Mr. Webster did not at first find international questions pressing on the department very heavily, there was plenty of work for him to do. The "compromise" bill had been thoroughly discussed in Congress, and with its appended measures, including the "Fugitive Slave Law," had been signed by President Fillmore; not of course without the assent of his

foremost adviser. That law, however, was not in accordance with Mr. Webster's views. It has been mentioned that he had himself drawn a bill for the rendition of fugitive slaves, differing in many particulars from that before the Senate, and containing provision for trial by jury; such a provision if inserted in the act passed would have disarmed many objectors. But the bill actually passed, two months after he had left the Senate, was closely involved with the other portions of Mr. Clay's plan of pacification. Mr. Webster, however he disapproved of it, could not say he thought it unconstitutional. He could have no solid ground for advising the President not to sign it, and, on its becoming the law of the land, he felt it his paramount duty to use his full influence on the people of the whole country, by every means which his tongue or pen could command, to accept it as the only practical settlement of more than arduous questions. To this end he gave incalculable labor for many months, urging his views upon his friends in every part of the Union, and interesting himself especially in keeping the people of Massachusetts to what he believed Whig, and therefore national views of duty, both by choosing national men to Congress and sustaining them and Mr. Fillmore's administration together.

To a great extent, and for a time at least, his efforts were successful. He received abundant assurances from thoughtful and patriotic men all over the country that they were as ready as ever to trust his judgment and his probity, and to follow his lead. But in his own State, where he had hoped most for success and most desired it, he attained it only in a measure. All forces which had ever been arrayed against him, all parties or offshoots of parties which had ever hoped or tried to defeat him, his friends, or his principles, coalesced in an unnatural union to wrest political power from the hands of the Whigs. Owing to the then existing law of the Commonwealth, which required a majority vote at the polls, they succeeded in achieving, even in Mr. Webster's lifetime, the defeat of his party; subsequent amendments to the Constitution have rendered similar tactics impracticable.

Whether these various elements of opposition, political and personal, would have achieved even a temporary victory over industry, talents, influence, and prestige like Mr. Webster's on

any ordinary question, such as the boundary or the tariff, may well be doubted. But the managers of the opposition had drawn to their aid allies which had never been enlisted to a like degree for any political contest. A large number of men had persuaded themselves that a great moral outrage had been perpetrated in the enactment of the Fugitive Slave Law, and that every one who ever acquiesced in its enforcement, whether in favor of its enactment or not, was a foe to the rights of humanity. That many of these men were entirely honest in their convictions no one disputes; but they were pushed forward by others who cared little for the rights or wrongs of the colored race, and had seized on this agitation as a means of discrediting the administration of Mr. Fillmore and its supporters; for the agitators supplied them with a bitterness of language which no astute politician uses himself, but is glad to avail himself of in the mouths of warmer-hearted and hotter-headed men.

> "Arouse the tiger of Hyrcanian deserts;
> Strive with the half-starved lion for his prey;
> Lesser the risk, than rouse the slumbering fire
> Of wild Fanaticism."

It was the great object of this faction to spread the belief that Mr. Webster was unworthy of the confidence of his fellow-citizens because in his support of the compromise measures he had fallen from morality; had violated the plain rule of right and the dictates of conscience. The feeling on the part of those who were sincere is most pointedly expressed in Mr. Whittier's poem of "Ichabod." As far as the attacks were matters of argument and not of feeling, they received a crushing refutation in the eulogy delivered by Mr. Choate at Dartmouth College in 1853.

This effort has been dwelt upon, not merely from the anxiety it produced in Mr. Webster's life, but because it has often been represented since his death as producing a stronger immediate impression than it did. The subsequent generation have been taught to believe that Mr. Webster's authority suffered a much greater shock than was actually the case. And it is a remarkable fact that as time goes on, many of the survivors of fifty years ago have come to admit that their bitter judgments of him were hasty and ill considered.

Mr. Webster did nct confine his efforts to create and foster a

sentiment of devotion to the Union in his own State. He spoke with great effect at a dinner in New York, on the anniversary of the Pilgrims' landing, 22d December, 1850. The completion of the Erie Railroad to Dunkirk drew Mr. Fillmore and the principal members of his Cabinet to the shores of Lake Erie, and Mr. Webster, detained by a domestic accident from actually joining the party, followed them to Buffalo, and delivered a most emphatic justification of the compromise policy on the 22d of May, 1851. At no place in the Union had the sentiment of opposition to all compromise with slavery found bitterer utterance than in Buffalo. Mr. Webster felt it his duty, therefore, to insist that with him, as with those who opposed him, it was a matter of conscience to act as he had done; he said: —

"If the fate of John Rogers had been presented to me, if I had seen the stake, had heard the fagots crackling, by the blessing of Almighty God I would have gone on and discharged the duty which my country called upon me to perform."

He followed up this speech by remarks more or less extended at some of the principal cities in Central New York, winding up with perhaps the most effective advice of all to the young men of Albany. On arriving at Washington, greatly fatigued, he was most anxious to rest and recruit, and for this purpose he made a visit to the Valley of Virginia. But the farmers of this region were as eager to hear him as the citizens of New York; and a large meeting was called at Capon Springs near Winchester, Va., where he appealed to the citizens of the Old Dominion to stand by the Union, as vigorously as he had done in the Empire and Bay States. One phrase, however, in this speech, whether by inaccurate report or wilful misrepresentation, was caught up and made to sanction the right of a State to secede; as such it was extensively circulated in the South, and caused Mr. Webster and his friends some trouble to correct; unnecessary, one would think; for people who could imagine Daniel Webster could approve secession, were not likely to be convinced by any explanation, however careful.

On the 4th of July, 1851, the corner-stone was laid of an extension to the National Capitol at Washington, in the presence of the President and Cabinet. The day was exceptionally

fine, and the audience was immense, but as might be expected in Washington at that time of year, largely composed of Virginians and Marylanders. Mr. Webster's closest friends were anxious for his success. He was still much fatigued from his Northern trip; his voice seemed not unlikely to break down, and he had not for some years delivered an "occasional" address. But he rose to the occasion in a speech worthy of his prime. His text was the duty incumbent upon all Americans to uphold the Union, and the audience being what it was he appealed to all the South, but more especially to Virginians, not in madness to throw away the inestimable blessings secured under the Constitution and the laws. He considered the whole of the Commonwealth of Virginia, every section of it, and at length uttered these words, of which probably not one hearer felt the force at the time: —

"Ye men of Western Virginia, who occupy the great slope from the top of the Alleghanies to Ohio and Kentucky, what benefit do you propose to yourselves by disunion? If you 'secede,' what do you 'secede' from, and what do you 'accede' to? Do you look for the current of the Ohio to change, and to bring you and your commerce to the tidewaters of Eastern rivers? *What man in his senses can suppose that you would remain part and parcel of Virginia a month after Virginia should have ceased to be part and parcel of the United States?*"

Virginia was declared by the vote of the Eastern counties to be "out of the Union" on the *23d* of *May*, 1861. The legislature of the State of West Virginia was organized on the 2d of July in the same year. A more amazingly exact literal prophecy never was uttered.

It must not, however, be supposed that because the first year of Mr. Webster's connection with the State Department was so largely occupied with national questions there was any lack of international. Several very delicate problems presented themselves early, and engaged his painful attention.

Perhaps the most important of these arose out of the Hungarian insurrection against the imperial Government of Austria in the great revolution year of 1848. The Magyars, or dominant race of the Kingdom of Hungary, asserted that the Emperor and his ministers had violated the compact by which he held St. Stephen's crown, and declared the Hungarian republic,

with Kossuth as governor. The movement excited general sympathy in the United States, and an agent was sent by General Taylor to examine the situation. The suppression of the revolt by the forces of the Czar Nicholas caused this agent, Mr. Dudley Mann, to report that the Magyars had failed to establish a government such as was entitled to the recognition of the United States. This report and all the documents were published, and the President stated openly to Congress that if it had appeared to Mr. Mann [1] that the Magyars had established a *de facto* government, he should have recognized it.

The Austrian Minister, Mr. Hülsemann, immediately entered upon an angry discussion with Mr. Clayton, General Taylor's Secretary of State, and a letter containing his instructions from Vienna to protest against the whole transaction, as an unwarranted interference in the concerns of a friendly State, arrived about the time when General Taylor's death had closed Mr. Clayton's service as Secretary and placed Mr. Webster in his stead. The latter, however, in conformity with the strictest diplomatic traditions, took up the correspondence on his own account. His health was so infirm at this period, that he appears to have distrusted his own sufficiency to prepare such a reply as the exigency demanded. He gave Mr. Hunter, the chief clerk of the Department of State, some of the important points to be embodied in a draft, and further engaged the author of the former part of this memoir to prepare a more elaborate draft on the entire question. This paper very largely met Mr. Webster's views, and formed the basis of the letter which was sent to the Austrian minister towards the end of 1850, not without considerable excisions, additions, and revisions of Mr. Webster's own, not the least of which consisted in a vigorous rebuke administered to Mr. Hülsemann for his failure to recognize duly the position of the United States as a nation whose precedents and practice in international law were entitled to the highest respect in Europe. This letter fully re-established Mr. Webster in the confidence of all American patriots, — if indeed he had ever lost it. A translation of the correspondence into German was furtively published on the continent of Europe, and circulated throughout the Austrian Empire.

[1] It is a significant fact that in 1861 Mr. Dudley Mann was an agent of the Southern Confederacy to obtain its recognition in Europe. — [W. E.]

Another question which required the utmost firmness of handling was that involved in the invasion of Cuba by the filibuster Antonio Lopez, aided by certain adventurers from the United States. The idea of seizing on the island by a sudden onslaught had found great favor in the southwestern States of the Union, and had been supported by some persons high in the national councils. It was doubtless connected with the discussions about slavery, the hope being that the forcible annexation of Cuba would be a gain to the slaveholding interest which might balance even the weight of California. The expedition failed contemptibly; Lopez and several of his party, both Spaniards and Americans, were executed, and others sent as prisoners to Spain. These steps taken by the Cuban Government caused a riot in New Orleans, and various acts extremely offensive to the punctilious Spaniards were perpetrated. Moreover, as soon as the attack was reported in Europe, orders were given by the Governments of England and France to their fleets in the West Indian waters, which might have resulted in critical collision with American vessels. To adjust all the various problems arising out of this situation, with due regard alike to the dignity of the United States and the rights of American citizens, and to the just claims of a friendly nation which had been insulted, required the exercise of diplomatic firmness and tact in no small degree; but Mr. Webster's handling of it gave entire satisfaction to every one directly and indirectly concerned — except perhaps some "fire-eaters" of the South, who would have liked to enlist the National government in a general buccaneering expedition against the whole of Spanish America.

In another delicate case, arising out of the first of the treaties between the United States and Nicaragua, looking to the construction of a ship canal, the Clayton-Bulwer treaty negotiated with Mr. Webster's immediate predecessor, and the unrelinquished claim of Great Britain to exercise some control over the "Mosquito Shore," Mr. Webster's skill was conspicuous for the influence he obtained over Sir Henry Bulwer, a diplomatist of more experience perhaps than talent, but who had the good sense to perceive that the new secretary was a man whose probity might be unhesitatingly trusted, but whose intelligence and patriotism would never sleep.

That his own countrymen should hold this view was one of Mr. Webster's dearest ambitions, and the close of the year 1851 seemed to put it beyond a question. Each successive problem which had presented itself to the Secretary of State had been disposed of with entire regard to the rights of foreign nations, and to those claims for courteous and friendly treatment which are deserving of even greater regard than the maxims of Grotius and Wheaton, but at the same time with the most dignified and emphatic assertion of the position of the United States as an integral and co-ordinate member of the great commonwealth of nations, never to be treated with haughtiness or flippancy. At this time Kossuth and his friends were visiting the United States and were received with a passionate effusion of popular sympathy, difficult to conceive by those who were not witnesses of it. It had led the distinguished Hungarian to entertain the wild hope that he might look for very extensive contributions of money from the people, and not impossibly for government support in prosecuting his views for the overthrow of the Austrian domination. At a dinner given to him in Washington, Mr. Webster spoke in the most emphatic and eloquent terms of the rights of oppressed nations to vindicate their liberty and independence; but neither then nor in his management of the State Department did he utter a word which could be construed into a pledge of assistance, direct or indirect, to Kossuth's revolutionary plans. His enemies, who were hanging on his lips night and day to catch him in his talk, were forced to admit that at this critical time, when many of his fellow-citizens were ready to hurry the country into they knew not what, he had spoken as became a friend of human rights and a statesman at the helm of the nation.

At an even earlier date, Mr. Webster had delivered his sentiments in no uncertain strain, namely, at a dinner of the association called the "Sons of New Hampshire," held in Boston on the 7th of November, 1849. After declaring in the most unmistakable way his detestation of despotism, his sympathy with the popular rising in Europe, he asserted the impossibility of checking by violence the spread of free thought, and went on: —

"Gentlemen, the bones of poor John Wickliffe were dug out of his grave, seventy years after his death, and burnt for his heresy; and his ashes were thrown upon a river in Warwickshire. Some prophet of the day said:—

"The Avon to the Severn runs,
The Severn to the sea,
And Wickliffe's dust shall spread abroad,
Wide as the waters be."

This stanza, of which the matter is found in Fuller's Church History, and also in a poem of Wordsworth's, has been traced, as Mr. Webster gave it, to no other source; and apparently, like the supposed speech of John Adams, it owes its actual shape to Mr. Webster himself.

In the early part of the year 1852, the last year, as it turned out, of his life, Mr. Webster gave two exhibitions of intellectual power, outside the sphere of his political duties, which would have been remarkable in any man, but were amazing in a man of seventy years of age, in not too strong health, his mind fully occupied with the most arduous tasks of statesmanship. On the 23d of February he delivered an address before the New York Historical Society, on the dignity and importance of history. He began by running rapidly through the great historians of Greece and Rome, characterizing each in a manner which to a superficial reader seems desultory, but which reveals itself, on an attentive reperusal, as full of profound thought; he traces the not remote connection of the vigor of historic writing with the political institutions of both nations; he passes to our own country as affording abundant and choice material for historical composition, and concludes with a weighty and fervent appeal for the maintenance of the Constitution and the Union. The address lacks the artistic compression and proportionate arrangement of its parts which will be found in the orations of those who devote themselves to that species of composition; but the force and precision of its language, and the vital truth of its sentiments will impress themselves on all careful readers.

Again, in the spring of 1852, Mr. Webster conducted at Trenton, N. J., a suit on behalf of the Goodyear Manufacturing Co., who were the patentees of the process of vulcanizing India rubber. The thoroughness with which he entered into the

historical and scientific inquiries involved in the case, and the success with which he argued the law points involved, excited the admiration of the bar throughout the country.

In the month of May in this year Mr. Webster had resorted to his favorite Marshfield at an earlier period than usual. Here, while taking a drive in the direction of Plymouth with his secretary, Mr. Lanman, and while actually pointing out to him the probable course of the Mayflower in the near waters of the bay, he was thrown from his vehicle by the breaking of the king-bolt, thereby experiencing a shock to the system which was not to be got over. Whether the perfect rest and charm of Marshfield and of Franklin, to which he made a short visit later in the summer, or still more extensive trips at home and abroad, which he contemplated, might have restored him, it is impossible to say; but such rest was not to be. He felt obliged to make a short visit to Washington in June, which was passed in an anxiety to which all other cares of body and mind were perforce subordinate; the doubt, the hope, the fear as to whom would the National Whig convention nominate as President. The Democrats had rejected all their old leaders to select as their candidate General Franklin Pierce of New Hampshire; a man scarcely known out of his own State, where he was extremely popular, but accepted with unanimous cordiality by his whole party, North and South. An equally unanimous selection of the strongest possible candidate offered the only chance of Whig success. Mr. Webster and his closest friends felt that he had a right to the nomination. Four times had he been laid aside by the Whigs for other candidates; and except in 1844, when he had cheerfully accepted Mr. Clay's nomination, he could not help feeling that inferior men had been preferred to him. But the "compromise" had driven the wedge of division deep into the Whig party. That portion of the Whig delegates, chiefly from the middle and western States, which was not disposed to accept it as a final settlement, preferred General Winfield Scott, who had exhibited in the war with Mexico the highest military genius, but hardly any other evidence of fitness for the office. He commanded from the outset some dozen votes less than a majority. About as many, chiefly from the South, supported President Fillmore, while a number varying little from thirty — about one-tenth of the

convention — voted steadily for Mr. Webster. After fifty-three ballotings enough of Mr. Fillmore's friends transferred their votes to General Scott to nominate him; but half of his supporters refused to accept a plank in the platform agreeing to the "compromise" as final.

There is no doubt Mr. Webster was cruelly mortified. He felt, as a party man, that the Whigs had received their death-blow; that General Pierce was sure of an election, and that his own work to unite the nation on a basis of harmony and mutual conciliation had been treated with undeserved and short-sighted contumely in the house of his friends. He received very striking offers of support if he would consent to run as a third candidate; he knew this idea was vain, and gave it no support. But neither would he speak a word in support of General Scott, whose nomination he felt to be a direct insult to himself, nor, as many urged him to do, in favor of General Pierce, whose party he had been fighting for his whole political life. The blow had gone home, and the four remaining months of his life were passed in sadness and shadow.

He was, however, deeply touched by a public reception given him by the citizens of Boston, immediately after the Whig convention, on the 9th of July. As he drove in an open carriage through the principal streets, attended by every honorable escort, civic and military, the day closing on the Common with an address of welcome and his reply, one universal voice of acclamation showed him that his own State and home were true to him, however others, on whose support he had had a right to rely, had fallen away.

After this reception he sought rest and recreation at his birthplace. But from there he was summoned by the President's appeal to come to Washington and discuss with Mr. Crampton, Sir Henry Bulwer's successor, the painful and apparently interminable question of the fisheries in the northern waters. The matter in dispute was far too serious to be brought to a final settlement in Mr. Webster's lifetime; but a statement which he gave to the newspapers showed his entire grasp of the subject, and the unimpaired vigor of his intellect. He offered to resign a post to whose toils he felt unequal, but the President would not hear of such action.

On Mr. Webster's return to Marshfield in August it was very

evident that his health was seriously, nay, alarmingly impaired. It was at the time of his annual catarrh, which, as he was now over seventy, pressed upon him with increased force; his mind had been racked by many various and distressing cares, and certain internal organic complaints manifested themselves. He could hardly be called a man careful of himself as to health or property, and retaining the simple outdoor tastes of his youth, he had followed them with youthful ardor, even in advanced life.

In the early autumn there might be some hope; but as October came on, it was evident to all his visitors that his days were numbered. He retained his thoughtfulness for the public business to the very last; and his kind consideration for every one connected with him was manifested in all its early strength by his arrangements for the comfort of many guests, and the affectionate leave which in the closing hours he took by name of every member of the household. At length, after a week of considerable exhaustion and suffering the release came very early in the morning of the 24th of October, 1852. It was noted at the time that in a sort of struggle of failing consciousness, his last coherent utterance was the words, "I still live"; somewhat later, his lips were heard to form and repeat the word "poetry"; his son responded by repeating some of Gray's Elegy, to which Mr. Webster responded with a smile.[1]

The news of his death produced a profound sensation throughout the country, and one unbroken expression of sorrow was everywhere heard. His funeral was attended at Marshfield in the presence of a great part of the population of that place and the neighboring towns, of a large number of persons from Boston and other parts of Massachusetts, and of deputations from New York, Albany, and Philadelphia. It was a bright autumnal day; the body, placed in the coffin and in its accustomed dress, lay beneath a noble elm-tree in front of his dwelling, and after the performance of the funeral services was followed to the tomb in the ancient cemetery of Marshfield, where the members of his family already deceased had been deposited by himself. At the ensuing session of Congress the customary tributes of respect were paid to his memory,

[1] This last incident is given as recorded by Mr. Curtis. It has been sometimes related with unnecessary amplification. — [W. E.]

with more than usual eloquence, feeling, and concert of sentiment on all sides of the house; in the Senate by his former colleague, Gov. John Davis of Massachusetts, Judge Butler of South Carolina, General Cass, Governor Seward, and Commodore Stockton; and in the House of Representatives by Mr. G. T. Davis of Massachusetts, Mr. Appleton of Maine, Mr. Preston of Kentucky, Mr. Seymour of New York, Mr. Chandler of Pennsylvania, General Bayly of Virginia, and Mr. Stanly of North Carolina. Notice of his death was taken by the courts and other public bodies with which he was connected in Massachusetts. A eulogy was pronounced by Mr. George S. Hillard, under the auspices of the municipal authorities of Boston; and funeral orations, discourses, and sermons were delivered throughout the country, in greater numbers, it is believed, than on any former occasion excepting the death of Washington. Of these the address delivered by Hon. Rufus Choate at the Commencement at Dartmouth College, in 1853, must be regarded as of surpassing beauty and truth. A statue by Hiram Powers was erected to him in Boston, in the grounds of the Massachusetts State House; the dedication exercises including an oration by the author of the greater part of this memoir. The State of New Hampshire has since placed his statue in the old Hall of Representatives in Washington. The hundredth anniversary of his graduation at Dartmouth College was celebrated with remarkably appropriate exercises in the autumn of 1901.

Mr. Webster's voice was powerful, sonorous, and flexible; his action, without being remarkably graceful, appropriate and impressive. In debate no amount nor violence of opposition ever shook his self-possession for a moment. A consummate master of argument, he touched not less skilfully all the chords of feeling. On occasions of mere ceremony he did not shine; on great occasions and great subjects, with or without preparation, he had no superior. Others excelled him in the dexterity of party leadership and the exertion of outdoor influence; no one excelled him in the ability to convince and persuade an intelligent audience. For his arguments at the bar and his speeches in Congress he prepared a full brief, but wrote nothing at length. The style of his compositions of every kind, alike his elaborate discourses, diplomatic papers, and familiar letters, is vigorous, terse, pure English, free from every species of

affectation, and marked by a manly simplicity. The late Mr. Samuel Rogers, a remarkably fastidious judge, told the writer of this article that he knew nothing in the English language so well written as Mr. Webster's letter to Lord Ashburton on the subject of impressment of seamen. He was a regular attendant on public worship, a diligent student of the Scriptures, a communicating member of the church, and a firm believer in the truth of Christianity as a divine revelation. A brief and carefully prepared declaration of his faith was drawn up by him in the last year of his life. Portraits at different periods of his life by the most distinguished artists of the day, and his magnificent bust by Powers, will convey to posterity no inadequate idea of his countenance and form; while his character as a statesman, a jurist, and an orator will fill an abiding place in the annals of his country.

Mr. Webster was married in early life to Grace Fletcher of Hopkinton, N. H. Of this marriage were born Grace, Charles, Julia, Edward, and Daniel Fletcher, of whom the last, the only one who survived him, fell as colonel of the 12th Massachusetts Volunteers in the battle of August 29, 1862, near Bull Run. The death of Mr. Webster's first wife took place in January, 1828. His second wife, Caroline Bayard Le Roy, daughter of an eminent merchant of New York, survives him. Several editions of his collective works were published during his lifetime; and two volumes of his private correspondence were published by his son in 1858.

Several biographies more or less extensive have been published. The standard Life is that by Hon. George Ticknor Curtis (New York, 2 vols. 1870). That in the "Statesmen Series" is by Hon. Henry Cabot Lodge; one has recently appeared by Hon. Samuel W. McCall.

The following summary of Mr. Webster's character and services formed the conclusion of the original memoir of 1851.

Such, in a brief and imperfect narrative, is the public life of Mr. Webster, extending over a period of forty years, marked by the occurrence of events of great importance. It has been the aim of the writer to prevent the pen of the biographer from being too much influenced by the partiality of the friend.* Should he seem to the candid not wholly to have escaped that error

* A fuller delineation of Mr. Webster's character will be found in "Everett's Orations and Speeches," Vol. III. pp. 158, 390, and IV. p. 186.

(which, however, he trusts will not be the case), he ventures to hope that it will be forgiven to an intimacy which commenced in the youth of one of the parties and the boyhood of the other, and which has subsisted for nearly half a century. It will be admitted, he thinks, by every one that this career, however inadequately delineated, has been one of singular eminence and brilliancy. Entering upon public life at the close of the first epoch in the political history of the United States under the present Constitution, Mr. Webster has stood below none of the distinguished men who have impressed their character on the second.

There is a class of public questions in reference to which the opinions of most men are greatly influenced by prejudices founded in natural temperament, early association, and real or supposed local interest. As far as such questions are concerned, it is too much to hope that, in times of high party excitement, full justice will be done to prominent statesmen by those of their contemporaries who differ from them. We greatly err, however, if candid men of all parties, and in all parts of the country, do not accord to Mr. Webster the praise of having formed to himself a large and generous view of the character of an American statesman, and of having adopted the loftiest standard of public conduct. They will agree that he has conceived, in all its importance, the position of the country as a member of the great family of nations, and as the leading republican government. In reference to domestic politics it will be as generally conceded, that, reposing less than most public men on a party basis, it has been the main object of his life to confirm and perpetuate the great work of the constitutional fathers of the last generation.

By their wisdom and patriotic forethought we are blessed with a system in which the several States are brought into a union so admirably composed and balanced, — both complicated and kept distinct with such skill, — as to seem less a work of human prudence than of Providential interposition.* Mr. Web-

* This idea is beautifully expressed in the following passage of a late letter from Mr. Webster, in reply to an invitation from the citizens of Macon, Georgia: —

"The States are united, not consolidated;

'Not, chaos-like, together crushed and bruised,
But, like the world, harmoniously confused,
Where order in variety we see;
And where, though all things differ, all agree.'

ster has at all times been fully aware of the evils of anarchy, discord, and civil war at home, and of utter national insignificance abroad, from which the formation of the Union saved us. He has been not less sensible to the obstacles to be overcome, the perils to be encountered, and the sufferings to be borne, before this wonderful framework of government could be established. And he has been firmly persuaded that, if once destroyed, it can never be reconstructed. With these views, his political life has been consecrated to the maintenance in all their strength of the principles on which the Constitution rests, and to the support of the system of government created by it.

The key to his whole political course is the belief that, when the Union is dissolved, the internal peace, the vigorous growth, and the prosperity of the States, and the welfare of their inhabitants, are blighted for ever, and that, while the Union endures, all else of trial and calamity which can befall a nation may be remedied or borne. So believing, he has pursued a course which has earned for him an honored name among those who have discharged the duty of good citizens with the most distinguished ability, zeal, and benefit to the country. In the relations of civilized life, there is no higher service which man can render to man, than thus to preserve a wise constitution of government in healthful action. Nor does the most eloquent of the statesmen of antiquity content himself with pronouncing this the highest human merit. In that admirable treatise on the Republic, of which some precious chapters have been restored to us after having been lost for ages, he does not hesitate to affirm, that there is nothing in which human virtue approaches nearer the divine, than in establishing and preserving states: "neque enim ulla res est, in qua propius ad deorum numen virtus accedat humana, quam civitates aut condere novas aut conservare jam conditas." *

* M. Tulli Ciceronis de Re Publica quæ supersunt edente Angelo Maio. Lib I. § 7.

First Settlement of New England

Introductory Note

THE first public anniversary celebration of the landing of the Pilgrims at Plymouth took place under the auspices of the "Old Colony Club," of whose formation an account may be found in the interesting little work of William S. Russell, Esq., entitled "Guide to Plymouth and Recollections of the Pilgrims."

This club was formed for general purposes of social intercourse, in 1769; but its members determined, by a vote passed on Monday the 18th of December of that year, "to keep" Friday, the 22d, in commemoration of the landing of the fathers. A particular account of the simple festivities of this first public celebration of the landing of the Pilgrims will be found at page 220 of Mr. Russell's work.

The following year, the anniversary was celebrated much in the same manner as in 1769, with the addition of a short address, pronounced "with modest and decent firmness, by a member of the club, Edward Winslow, Jr., Esq.," being the first address ever delivered on this occasion.

In 1771, it was suggested by Rev. Chandler Robbins, pastor of the First Church at Plymouth, in a letter addressed to the club, "whether it would not be agreeable, for the entertainment and instruction of the rising generation on these anniversaries, to have a sermon in public, some part of the day, peculiarly adapted to the occasion." This recommendation prevailed, and an appropriate discourse was delivered the following year by the Rev. Dr. Robbins.

In 1773 the Old Colony Club was dissolved, in consequence of the conflicting opinions of its members on the great political questions then agitated. Notwithstanding this event, the anniversary celebrations of the 22d of December continued without interruption till 1780, when they were suspended. After an interval of fourteen years, a public discourse was again delivered by the Rev. Dr. Robbins. Private celebrations took place the four following years, and from that time till the year 1819, with one or two exceptions, the day was annually commemorated, and public

addresses were delivered by distinguished clergymen and laymen of Massachusetts.

In 1820 the "Pilgrim Society" was formed by the citizens of Plymouth and the descendants of the Pilgrims in other places, desirous of uniting "to commemorate the landing, and to honor the memory of the intrepid men who first set foot on Plymouth rock." The foundation of this society gave a new impulse to the anniversary celebrations of this great event. The Hon. Daniel Webster was requested to deliver the public address on the 22d of December of that year, and the following discourse was pronounced by him on the ever-memorable occasion. Great public expectation was awakened by the fame of the orator; an immense concourse assembled at Plymouth to unite in the celebration; and it may be safely anticipated, that some portion of the powerful effect of the following address on the minds of those who were so fortunate as to hear it, will be perpetuated by the press to the latest posterity.

From 1820 to the present day, with occasional interruptions, the 22d of December has been celebrated by the Pilgrim Society. A list of all those by whom anniversary discourses have been delivered since the first organization of the Old Colony Club, in 1769, may be found in Mr. Russell's work.

Nor has the notice of the day been confined to New England. Public celebrations of the landing of the Pilgrims have been frequent in other parts of the country, particularly in New York. The New England Society of that city has rarely permitted the day to pass without appropriate honors. Similar societies have been formed at Philadelphia, Charleston, S. C., and Cincinnati, and the day has been publicly commemorated in several other parts of the country.

First Settlement of New England*

Let us rejoice that we behold this day. Let us be thankful that we have lived to see the bright and happy breaking of the auspicious morn, which commences the third century of the history of New England. Auspicious, indeed, — bringing a happiness beyond the common allotment of Providence to men, — full of present joy, and gilding with bright beams the prospect of futurity, is the dawn that awakens us to the commemoration of the landing of the Pilgrims.

Living at an epoch which naturally marks the progress of the history of our native land, we have come hither to celebrate the great event with which that history commenced. For ever honored be this, the place of our fathers' refuge! For ever remembered the day which saw them, weary and distressed, broken in every thing but spirit, poor in all but faith and courage, at last secure from the dangers of wintry seas, and impressing this shore with the first footsteps of civilized man!

It is a noble faculty of our nature which enables us to connect our thoughts, our sympathies, and our happiness with what is distant in place or time; and, looking before and after, to hold communion at once with our ancestors and our posterity. Human and mortal although we are, we are nevertheless not mere insulated beings, without relation to the past or the future. Neither the point of time, nor the spot of earth, in which we physically live, bounds our rational and intellectual enjoyments. We live in the past by a knowledge of its history; and in the future by hope and anticipation. By ascending to an association with our ancestors; by contemplating their example and

* A Discourse delivered at Plymouth, on the 22d of December, 1820.

studying their character; by partaking their sentiments, and imbibing their spirit; by accompanying them in their toils, by sympathizing in their sufferings, and rejoicing in their successes and their triumphs; we seem to belong to their age, and to mingle our own existence with theirs. We become their contemporaries, live the lives which they lived, endure what they endured, and partake in the rewards which they enjoyed. And in like manner, by running along the line of future time, by contemp.ating the probable fortunes of those who are coming after us, by attempting something which may promote their happiness, and leave some not dishonorable memorial of ourselves for their regard, when we shall sleep with the fathers, we protract our own earthly being, and seem to crowd whatever is future, as well as all that is past, into the narrow compass of our earthly existence. As it is not a vain and false, but an exalted and religious imagination, which leads us to raise our thoughts from the orb, which, amidst this universe of worlds, the Creator has given us to inhabit, and to send them with something of the feeling which nature prompts, and teaches to be proper among children of the same Eternal Parent, to the contemplation of the myriads of fellow-beings, with which his goodness has peopled the infinite of space; so neither is it false or vain to consider ourselves as interested and connected with our whole race, through all time; allied to our ancestors; allied to our posterity; closely compacted on all sides with others; ourselves being but links in the great chain of being, which begins with the origin of our race, runs onward through its successive generations, binding together the past, the present, and the future, and terminating at last, with the consummation of all things earthly, at the throne of God.

There may be, and there often is, indeed, a regard for ancestry, which nourishes only a weak pride; as there is also a care for posterity, which only disguises an habitual avarice, or hides the workings of a low and grovelling vanity. But there is also a moral and philosophical respect for our ancestors, which elevates the character and improves the heart. Next to the sense of religious duty and moral feeling, I hardly know what should bear with stronger obligation on a liberal and enlightened mind, than a consciousness of alliance with excellence which is departed; and a consciousness, too, that in its acts and conduct,

and even in its sentiments and thoughts, it may be actively operating on the happiness of those who come after it. Poetry is found to have few stronger conceptions, by which it would affect or overwhelm the mind, than those in which it presents the moving and speaking image of the departed dead to the senses of the living. This belongs to poetry, only because it is congenial to our nature. Poetry is, in this respect, but the handmaid of true philosophy and morality; it deals with us as human beings, naturally reverencing those whose visible connection with this state of existence is severed, and who may yet exercise we know not what sympathy with ourselves; and when it carries us forward, also, and shows us the long continued result of all the good we do, in the prosperity of those who follow us, till it bears us from ourselves, and absorbs us in an intense interest for what shall happen to the generations after us, it speaks only in the language of our nature, and affects us with sentiments which belong to us as human beings.

Standing in this relation to our ancestors and our posterity, we are assembled on this memorable spot, to perform the duties which that relation and the present occasion impose upon us. We have come to this Rock, to record here our homage for our Pilgrim Fathers; our sympathy in their sufferings; our gratitude for their labors; our admiration of their virtues; our veneration for their piety; and our attachment to those principles of civil and religious liberty, which they encountered the dangers of the ocean, the storms of heaven, the violence of savages, disease, exile, and famine, to enjoy and to establish. And we would leave here, also, for the generations which are rising up rapidly to fill our places, some proof that we have endeavored to transmit the great inheritance unimpaired; that in our estimate of public principles and private virtue, in our veneration of religion and piety, in our devotion to civil and religious liberty, in our regard for whatever advances human knowledge or improves human happiness, we are not altogether unworthy of our origin.

There is a local feeling connected with this occasion, too strong to be resisted; a sort of *genius of the place*, which inspires and awes us. We feel that we are on the spot where the first scene of our history was laid; where the hearths and altars of New England were first placed; where Christianity, and civilization, and letters made their first lodgement, in a vast

extent of country, covered with a wilderness, and peopled by roving barbarians. We are here, at the season of the year at which the event took place. The imagination irresistibly and rapidly draws around us the principal features and the leading characters in the original scene. We cast our eyes abroad on the ocean, and we see where the little bark, with the interesting group upon its deck, made its slow progress to the shore. We look around us, and behold the hills and promontories where the anxious eyes of our fathers first saw the places of habitation and of rest. We feel the cold which benumbed, and listen to the winds which pierced them. Beneath us is the Rock,* on which New England received the feet of the Pilgrims. We seem even to behold them, as they struggle with the elements, and, with toilsome efforts, gain the shore. We listen to the chiefs in council; we see the unexampled exhibition of female fortitude and resignation; we hear the whisperings of youthful impatience, and we see, what a painter of our own has also represented by his pencil,† chilled and shivering childhood, houseless, but for a mother's arms, couchless, but for a mother's breast, till our own blood almost freezes. The mild dignity of Carver and of Bradford; the decisive and soldierlike air and manner of Standish; the devout Brewster; the enterprising Allerton;‡ the general firmness and thoughtfulness of the whole band; their conscious joy for dangers escaped; their deep solicitude about dangers to come; their trust in Heaven; their high religious faith, full of confidence and anticipation; all of these seem to belong to this place, and to be present upon this occasion, to fill us with reverence and admiration.

The settlement of New England by the colony which landed here § on the twenty-second ‖ of December, sixteen hundred and twenty, although not the first European establishment in what

* An interesting account of the Rock may be found in Dr. Thacher's History of the Town of Plymouth, pp. 29, 198, 199.

† See Note A, at the end of the Discourse.

‡ For notices of Carver, Bradford, Standish, Brewster, and Allerton, see Young's Chronicles of Plymouth and Massachusetts; Morton's Memorial, p. 126; Belknap's American Biography, Vol. II.; Hutchinson's History, Vol. II., App., pp. 456 *et seq.*; Collections of the Massachusetts Historical Society; Winthrop's Journal; and Thacher's History.

§ For the original name of what is now *Plymouth* see Lives of American Governors, p. 38, note, a work prepared with great care by J. B. Moore, Esq.

‖ The *twenty-first* is now acknowledged to be the true anniversary. See the Report of the Pilgrim Society on the subject.

now constitutes the United States, was yet so peculiar in its causes and character, and has been followed and must still be followed by such consequences, as to give it a high claim to lasting commemoration. On these causes and consequences, more than on its immediately attendant circumstances, its importance, as an historical event, depends. Great actions and striking occurrences, having excited a temporary admiration, often pass away and are forgotten, because they leave no lasting results, affecting the prosperity and happiness of communities. Such is frequently the fortune of the most brilliant military achievements. Of the ten thousand battles which have been fought, of all the fields fertilized with carnage, of the banners which have been bathed in blood, of the warriors who have hoped that they had risen from the field of conquest to a glory as bright and as durable as the stars, how few that continue long to interest mankind! The victory of yesterday is reversed by the defeat of to-day; the star of military glory, rising like a meteor, like a meteor has fallen; disgrace and disaster hang on the heels of conquest and renown; victor and vanquished presently pass away to oblivion, and the world goes on in its course, with the loss only of so many lives and so much treasure.

But if this be frequently, or generally, the fortune of military achievements, it is not always so. There are enterprises, military as well as civil, which sometimes check the current of events, give a new turn to human affairs, and transmit their consequences through ages. We see their importance in their results, and call them great, because great things follow. There have been battles which have fixed the fate of nations. These come down to us in history with a solid and permanent interest, not created by a display of glittering armor, the rush of adverse battalions, the sinking and rising of pennons, the flight, the pursuit, and the victory; but by their effect in advancing or retarding human knowledge, in overthrowing or establishing despotism, in extending or destroying human happiness. When the traveller pauses on the plain of Marathon, what are the emotions which most strongly agitate his breast? What is that glorious recollection, which thrills through his frame, and suffuses his eyes? Not, I imagine, that Grecian skill and Grecian valor were here most signally displayed; but that Greece herself was saved. It is because to this spot, and to the event

which has rendered it immortal, he refers all the succeeding glories of the republic. It is because, if that day had gone otherwise, Greece had perished. It is because he perceives that her philosophers and orators, her poets and painters, her sculptors and architects, her governments and free institutions, point backward to Marathon, and that their future existence seems to have been suspended on the contingency, whether the Persian or the Grecian banner should wave victorious in the beams of that day's setting sun. And, as his imagination kindles at the retrospect, he is transported back to the interesting moment; he counts the fearful odds of the contending hosts; his interest for the result overwhelms him; he trembles, as if it were still uncertain, and seems to doubt whether he may consider Socrates and Plato, Demosthenes, Sophocles, and Phidias, as secure, yet, to himself and to the world.

"If we conquer," said the Athenian commander on the approach of that decisive day, "if we conquer, we shall make Athens the greatest city of Greece."* A prophecy, how well fulfilled! "If God prosper us," might have been the more appropriate language of our fathers, when they landed upon this Rock, "if God prosper us, we shall here begin a work which shall last for ages; we shall plant here a new society, in the principles of the fullest liberty and the purest religion; we shall subdue this wilderness which is before us; we shall fill this region of the great continent, which stretches almost from pole to pole, with civilization and Christianity; the temples of the true God shall rise, where now ascends the smoke of idolatrous sacrifice; fields and gardens, the flowers of summer, and the waving and golden harvest of autumn, shall spread over a thousand hills, and stretch along a thousand valleys, never yet, since the creation, reclaimed to the use of civilized man. We shall whiten this coast with the canvas of a prosperous commerce; we shall stud the long and winding shore with a hundred cities. That which we sow in weakness shall be raised in strength. From our sincere, but houseless worship, there shall spring splendid temples to record God's goodness; from the simplicity of our social union, there shall arise wise and politic constitutions of government, full of the liberty which we ourselves bring and

* Herodot. VI. § 109.

breathe; from our zeal for learning, institutions shall spring which shall scatter the light of knowledge throughout the land, and, in time, paying back where they have borrowed, shall contribute their part to the great aggregate of human knowledge; and our descendants, through all generations, shall look back to this spot, and to this hour, with unabated affection and regard."

A brief remembrance of the causes which led to the settlement of this place; some account of the peculiarities and characteristic qualities of that settlement, as distinguished from other instances of colonization; a short notice of the progress of New England in the great interests of society, during the century which is now elapsed; with a few observations on the principles upon which society and government are established in this country; comprise all that can be attempted, and much more than can be satisfactorily performed, on the present occasion.

Of the motives which influenced the first settlers to a voluntary exile, induced them to relinquish their native country, and to seek an asylum in this then unexplored wilderness, the first and principal, no doubt, were connected with religion. They sought to enjoy a higher degree of religious freedom, and what they esteemed a purer form of religious worship, than was allowed to their choice, or presented to their imitation, in the Old World. The love of religious liberty is a stronger sentiment, when fully excited, than an attachment to civil or political freedom. That freedom which the conscience demands, and which men feel bound by their hope of salvation to contend for, can hardly fail to be attained. Conscience, in the cause of religion and the worship of the Deity, prepares the mind to act and to suffer beyond almost all other causes. It sometimes gives an impulse so irresistible, that no fetters of power or of opinion can withstand it. History instructs us that this love of religious liberty, a compound sentiment in the breast of man, made up of the clearest sense of right and the highest conviction of duty, is able to look the sternest despotism in the face, and, with means apparently most inadequate, to shake principalities and powers. There is a boldness, a spirit of daring, in religious reformers, not to be measured by the general rules which control men's purposes and actions. If the hand of power be laid upon it,

this only seems to augment its force and its elasticity, and to cause its action to be more formidable and violent. Human invention has devised nothing, human power has compassed nothing, that can forcibly restrain it, when it breaks forth. Nothing can stop it, but to give way to it; nothing can check it, but indulgence. It loses its power only when it has gained its object. The principle of toleration, to which the world has come so slowly, is at once the most just and the most wise of all principles. Even when religious feeling takes a character of extravagance and enthusiasm, and seems to threaten the order of society and shake the columns of the social edifice, its principal danger is in its restraint. If it be allowed indulgence and expansion, like the elemental fires, it only agitates, and perhaps purifies, the atmosphere; while its efforts to throw off restraint would burst the world asunder.

It is certain, that, although many of them were republicans in principle, we have no evidence that our New England ancestors would have emigrated, as they did, from their own native country, would have become wanderers in Europe, and finally would have undertaken the establishment of a colony here, merely from their dislike of the political systems of Europe. They fled not so much from the civil government, as from the hierarchy, and the laws which enforced conformity to the church establishment. Mr. Robinson had left England as early as 1608, on account of the persecutions for nonconformity, and had retired to Holland. He left England, from no disappointed ambition in affairs of state, from no regrets at the want of preferment in the church, nor from any motive of distinction or of gain. Uniformity in matters of religion was pressed with such extreme rigor, that a voluntary exile seemed the most eligible mode of escaping from the penalties of noncompliance. The accession of Elizabeth had, it is true, quenched the fires of Smithfield, and put an end to the easy acquisition of the crown of martyrdom. Her long reign had established the Reformation, but toleration was a virtue beyond her conception, and beyond the age. She left no example of it to her successor; and he was not of a character which rendered it probable that a sentiment either so wise or so liberal would originate with him. At the present period it seems incredible, that the learned, accomplished, unassuming, and inoffensive Robinson should neither be tolerated in his

peaceable mode of worship in his own country, nor suffered quietly to depart from it. Yet such was the fact. He left his country by stealth, that he might elsewhere enjoy those rights which ought to belong to men in all countries. The departure of the Pilgrims for Holland is deeply interesting, from its circumstances, and also as it marks the character of the times, independently of its connection with names now incorporated with the history of empire. The embarkation was intended to be made in such a manner, that it might escape the notice of the officers of government. Great pains had been taken to secure boats, which should come undiscovered to the shore, and receive the fugitives; and frequent disappointments had been experienced in this respect.

At length the appointed time came, bringing with it unusual severity of cold and rain. An unfrequented and barren heath, on the shores of Lincolnshire, was the selected spot, where the feet of the Pilgrims were to tread, for the last time, the land of their fathers. The vessel which was to receive them did not come until the next day, and in the mean time the little band was collected, and men and women and children and baggage were crowded together, in melancholy and distressed confusion. The sea was rough, and the women and children were already sick, from their passage down the river to the place of embarkation on the sea. At length the wished-for boat silently and fearfully approaches the shore, and men and women and children, shaking with fear and with cold, as many as the small vessel could bear, venture off on a dangerous sea. Immediately the advance of horses is heard from behind, armed men appear, and those not yet embarked are seized, and taken into custody. In the hurry of the moment, the first parties had been sent on board without any attempt to keep members of the same family together, and on account of the appearance of the horsemen, the boat never returned for the residue. Those who had got away, and those who had not, were in equal distress. A storm, of great violence, and long duration, arose at sea, which not only protracted the voyage, rendered distressing by the want of all those accommodations which the interruption of the embarkation had occasioned, but also forced the vessel out of her course, and menaced immediate shipwreck; while those on shore, when they were dismissed from the custody of the officers of justice, having no longer

homes or houses to retire to, and their friends and protectors being already gone, became objects of necessary charity, as well as of deep commiseration.

As this scene passes before us, we can hardly forbear asking whether this be a band of malefactors and felons flying from justice. What are their crimes, that they hide themselves in darkness? To what punishment are they exposed, that, to avoid it, men, and women, and children, thus encounter the surf of the North Sea, and the terrors of a night storm? What induces this armed pursuit, and this arrest of fugitives, of all ages and both sexes? Truth does not allow us to answer these inquiries in a manner that does credit to the wisdom or the justice of the times. This was not the flight of guilt, but of virtue. It was an humble and peaceable religion, flying from causeless oppression. It was conscience, attempting to escape from the arbitrary rule of the Stuarts. It was Robinson and Brewster, leading off their little band from their native soil, at first to find shelter on the shore of the neighboring continent, but ultimately to come hither; and having surmounted all difficulties and braved a thousand dangers, to find here a place of refuge and of rest. Thanks be to God, that this spot was honored as the asylum of religious liberty! May its standard, reared here, remain for ever! May it rise up as high as heaven, till its banner shall fan the air of both continents, and wave as a glorious ensign of peace and security to the nations!

The peculiar character, condition, and circumstances of the colonies which introduced civilization and an English race into New England, afford a most interesting and extensive topic of discussion. On these, much of our subsequent character and fortune has depended. Their influence has essentially affected our whole history, through the two centuries which have elapsed; and as they have become intimately connected with government, laws, and property, as well as with our opinions on the subjects of religion and civil liberty, that influence is likely to continue to be felt through the centuries which shall succeed. Emigration from one region to another, and the emission of colonies to people countries more or less distant from the residence of the parent stock, are common incidents in the history of mankind; but it has not often, perhaps never, happened, that

the establishment of colonies should be attempted under circumstances, however beset with present difficulties and dangers, yet so favorable to ultimate success, and so conducive to magnificent results, as those which attended the first settlements on this part of the American continent. In other instances, emigration has proceeded from a less exalted purpose, in periods of less general intelligence, or more without plan and by accident; or under circumstances, physical and moral, less favorable to the expectation of laying a foundation for great public prosperity and future empire.

A great resemblance exists, obviously, between all the English colonies established within the present limits of the United States; but the occasion attracts our attention more immediately to those which took possession of New England, and the peculiarities of these furnish a strong contrast with most other instances of colonization.

Among the ancient nations, the Greeks, no doubt, sent forth from their territories the greatest number of colonies. So numerous, indeed, were they, and so great the extent of space over which they were spread, that the parent country fondly and naturally persuaded herself, that by means of them she had laid a sure foundation for the universal civilization of the world. These establishments, from obvious causes, were most numerous in places most contiguous; yet they were found on the coasts of France, on the shores of the Euxine Sea, in Africa, and even, as is alleged, on the borders of India. These emigrations appear to have been sometimes voluntary and sometimes compulsory; arising from the spontaneous enterprise of individuals, or the order and regulation of government. It was a common opinion with ancient writers, that they were undertaken in religious obedience to the commands of oracles, and it is probable that impressions of this sort might have had more or less influence; but it is probable, also, that on these occasions the oracles did not speak a language dissonant from the views and purposes of the state.

Political science among the Greeks seems never to have extended to the comprehension of a system, which should be adequate to the government of a great nation upon principles of liberty. They were accustomed only to the contemplation of small republics, and were led to consider an augmented popula-

tion as incompatible with free institutions. The desire of a remedy for this supposed evil, and the wish to establish marts for trade, led the governments often to undertake the establishment of colonies as an affair of state expediency. Colonization and commerce, indeed, would naturally become objects of interest to an ingenious and enterprising people, inhabiting a territory closely circumscribed in its limits, and in no small part mountainous and sterile; while the islands of the adjacent seas, and the promontories and coasts of the neighboring continents, by their mere proximity, strongly solicited the excited spirit of emigration. Such was this proximity, in many instances, that the new settlements appeared rather to be the mere extension of population over contiguous territory, than the establishment of distant colonies. In proportion as they were near to the parent state, they would be under its authority, and partake of its fortunes. The colony at Marseilles might perceive lightly, or not at all, the sway of Phocis; while the islands in the Ægean Sea could hardly attain to independence of their Athenian origin. Many of these establishments took place at an early age; and if there were defects in the governments of the parent states, the colonists did not possess philosophy or experience sufficient to correct such evils in their own institutions, even if they had not been, by other causes, deprived of the power. An immediate necessity, connected with the support of life, was the main and direct inducement to these undertakings, and there could hardly exist more than the hope of a successful imitation of institutions with which they were already acquainted, and of holding an equality with their neighbors in the course of improvement. The laws and customs, both political and municipal, as well as the religious worship of the parent city, were transferred to the colony; and the parent city herself, with all such of her colonies as were not too far remote for frequent intercourse and common sentiments, would appear like a family of cities, more or less dependent, and more or less connected. We know how imperfect this system was, as a system of general politics, and what scope it gave to those mutual dissensions and conflicts which proved so fatal to Greece.

But it is more pertinent to our present purpose to observe, that nothing existed in the character of Grecian emigrations, or in the spirit and intelligence of the emigrants, likely to give a

new and important direction to human affairs, or a new impulse to the human mind. Their motives were not high enough, their views were not sufficiently large and prospective. They went not forth, like our ancestors, to erect systems of more perfect civil liberty, or to enjoy a higher degree of religious freedom. Above all, there was nothing in the religion and learning of the age, that could either inspire high purposes, or give the ability to execute them. Whatever restraints on civil liberty, or whatever abuses in religious worship, existed at the time of our fathers' emigration, yet even then all was light in the moral and mental world, in comparison with its condition in most periods of the ancient states. The settlement of a new continent, in an age of progressive knowledge and improvement, could not but do more than merely enlarge the natural boundaries of the habitable world. It could not but do much more even than extend commerce and increase wealth among the human race. We see how this event has acted, how it must have acted, and wonder only why it did not act sooner, in the production of moral effects, on the state of human knowledge, the general tone of human sentiments, and the prospects of human happiness. It gave to civilized man not only a new continent to be inhabited and cultivated, and new seas to be explored; but it gave him also a new range for his thoughts, new objects for curiosity, and new excitements to knowledge and improvement.

Roman colonization resembled, far less than that of the Greeks, the original settlements of this country. Power and dominion were the objects of Rome, even in her colonial establishments. Her whole exterior aspect was for centuries hostile and terrific. She grasped at dominion, from India to Britain, and her measures of colonization partook of the character of her general system. Her policy was military, because her objects were power, ascendency, and subjugation. Detachments of emigrants from Rome incorporated themselves with, and governed, the original inhabitants of conquered countries. She sent citizens where she had first sent soldiers; her law followed her sword. Her colonies were a sort of military establishment; so many advanced posts in the career of her dominion. A governor from Rome ruled the new colony with absolute sway, and often with unbounded rapacity. In Sicily, in Gaul, in Spain, and in Asia, the power of Rome prevailed, not nominally only, but really and

effectually. Those who immediately exercised it were Roman; the tone and tendency of its administration, Roman. Rome herself continued to be the heart and centre of the great system which she had established. Extortion and rapacity, finding a wide and often rich field of action in the provinces, looked nevertheless to the banks of the Tiber, as the scene in which their ill-gotten treasures should be displayed; or, if a spirit of more honest acquisition prevailed, the object, nevertheless, was ultimate enjoyment in Rome itself. If our own history and our own times did not sufficiently expose the inherent and incurable evils of provincial government, we might see them portrayed, to our amazement, in the desolated and ruined provinces of the Roman empire. We might hear them, in a voice that terrifies us, in those strains of complaint and accusation, which the advocates of the provinces poured forth in the Roman Forum:— "Quas res luxuries in flagitiis, crudelitas in suppliciis, avaritia in rapinis, superbia in contumeliis, efficere potuisset, eas omnes esse pertulisse."

As was to be expected, the Roman Provinces partook of the fortunes, as well as of the sentiments and general character, of the seat of empire. They lived together with her, they flourished with her, and fell with her. The branches were lopped away even before the vast and venerable trunk itself fell prostrate to the earth. Nothing had proceeded from her which could support itself, and bear up the name of its origin, when her own sustaining arm should be enfeebled or withdrawn. It was not given to Rome to see, either at her zenith or in her decline, a child of her own, distant, indeed, and independent of her control, yet speaking her language and inheriting her blood, springing forward to a competition with her own power, and a comparison with her own great renown. She saw not a vast region of the earth peopled from her stock, full of states and political communities, improving upon the models of her institutions, and breathing in fuller measure the spirit which she had breathed in the best periods of her existence; enjoying and extending her arts and her literature; rising rapidly from political childhood to manly strength and independence; her offspring, yet now her equal; unconnected with the causes which might affect the duration of her own power and greatness; of common origin, but not linked to a common fate; giving ample pledge, that her name should

not be forgotten, that her language should not cease to be used among men; that whatsoever she had done for human knowledge and human happiness should be treasured up and preserved; that the record of her existence and her achievements should not be obscured, although, in the inscrutable purposes of Providence, it might be her destiny to fall from opulence and splendor; although the time might come, when darkness should settle on all her hills; when foreign or domestic violence should overturn her altars and her temples; when ignorance and despotism should fill the places where Laws, and Arts, and Liberty had flourished; when the feet of barbarism should trample on the tombs of her consuls, and the walls of her senate-house and forum echo only to the voice of savage triumph. She saw not this glorious vision, to inspire and fortify her against the possible decay or downfall of her power. Happy are they who in our day may behold it, if they shall contemplate it with the sentiments which it ought to inspire!

The New England Colonies differ quite as widely from the Asiatic establishments of the modern European nations, as from the models of the ancient states. The sole object of those establishments was originally trade; although we have seen, in one of them, the anomaly of a mere trading company attaining a political character, disbursing revenues, and maintaining armies and fortresses, until it has extended its control over seventy millions of people. Differing from these, and still more from the New England and North American Colonies, are the European settlements in the West India Islands. It is not strange, that, when men's minds were turned to the settlement of America, different objects should be proposed by those who emigrated to the different regions of so vast a country. Climate, soil, and condition were not all equally favorable to all pursuits. In the West Indies, the purpose of those who went thither was to engage in that species of agriculture, suited to the soil and climate, which seems to bear more resemblance to commerce, than to the hard and plain tillage of New England. The great staples of these countries, being partly an agricultural and partly a manufactured product, and not being of the necessaries of life, become the object of calculation, with respect to a profitable investment of capital, like any other enterprise of trade or manufacture. The more especially, as, requiring, by necessity or habit, slave

labor for their production, the capital necessary to carry on the work of this production is very considerable. The West Indies are resorted to, therefore, rather for the investment of capital, than for the purpose of sustaining life by personal labor. Such as possess a considerable amount of capital, or such as choose to adventure in commercial speculations without capital, can alone be fitted to be emigrants to the islands. The agriculture of these regions, as before observed, is a sort of commerce; and it is a species of employment in which labor seems to form an inconsiderable ingredient in the productive causes, since the portion of white labor is exceedingly small, and slave labor is rather more like profit on stock or capital, than *labor* properly so called. The individual who undertakes an establishment of this kind takes into the account the cost of the necessary number of slaves, in the same manner as he calculates the cost of the land. The uncertainty, too, of this species of employment, affords another ground of resemblance to commerce. Although gainful on the whole, and in a series of years, it is often very disastrous for a single year, and, as the capital is not readily invested in other pursuits, bad crops or bad markets not only affect the profits, but the capital itself. Hence the sudden depressions which take place in the value of such estates.

But the great and leading observation, relative to these establishments, remains to be made. It is, that the owners of the soil and of the capital seldom consider themselves *at home* in the colony. A very great portion of the soil itself is usually owned in the mother country; a still greater is mortgaged for capital obtained there; and, in general, those who are to derive an interest from the products look to the parent country as the place for enjoyment of their wealth. The population is therefore constantly fluctuating. Nobody comes but to return. A constant succession of owners, agents, and factors takes place. Whatsoever the soil, forced by the unmitigated toil of slavery, can yield, is sent home to defray rents, and interest, and agencies, or to give the means of living in a better society. In such a state, it is evident that no spirit of permanent improvement is likely to spring up. Profits will not be invested with a distant view of benefiting posterity. Roads and canals will hardly be built; schools will not be founded; colleges will not be endowed. There will be few fixtures in society; no principles of utility or

of elegance, planted now, with the hope of being developed and expanded hereafter. Profit, immediate profit, must be the principal active spring in the social system. There may be many particular exceptions to these general remarks, but the outline of the whole is such as is here drawn.

Another most important consequence of such a state of things is, that no idea of independence of the parent country is likely to arise; unless, indeed, it should spring up in a form that would threaten universal desolation. The inhabitants have no strong attachment to the place which they inhabit. The hope of a great portion of them is to leave it; and their great desire, to leave it soon. However useful they may be to the parent state, how much soever they may add to the conveniences and luxuries of life, these colonies are not favored spots for the expansion of the human mind, for the progress of permanent improvement, or for sowing the seeds of future independent empire.

Different, indeed, most widely different, from all these instances of emigration and plantation, were the condition, the purposes, and the prospects of our fathers, when they established their infant colony upon this spot. They came hither to a land from which they were never to return. Hither they had brought, and here they were to fix, their hopes, their attachments, and their objects in life. Some natural tears they shed, as they left the pleasant abodes of their fathers, and some emotions they suppressed, when the white cliffs of their native country, now seen for the last time, grew dim to their sight. They were acting, however, upon a resolution not to be daunted. With whatever stifled regrets, with whatever occasional hesitation, with whatever appalling apprehensions, which might sometimes arise with force to shake the firmest purpose, they had yet committed themselves to Heaven and the elements; and a thousand leagues of water soon interposed to separate them for ever from the region which gave them birth. A new existence awaited them here; and when they saw these shores, rough, cold, barbarous, and barren, as then they were, they beheld their country. That mixed and strong feeling, which we call love of country, and which is, in general, never extinguished in the heart of man, grasped and embraced its proper object here. Whatever constitutes *country*, except the earth and the sun, all the moral causes of affection and attachment which operate upon the heart, they had brought with

them to their new abode. Here were now their families and friends, their homes, and their property. Before they reached the shore, they had established the elements of a social system,* and at a much earlier period had settled their forms of religious worship. At the moment of their landing, therefore, they possessed institutions of government, and institutions of religion: and friends and families, and social and religious institutions, framed by consent, founded on choice and preference, how nearly do these fill up our whole idea of country! The morning that beamed on the first night of their repose saw the Pilgrims already *at home* in their country. There were political institutions, and civil liberty, and religious worship. Poetry has fancied nothing, in the wanderings of heroes, so distinct and characteristic. Here was man, indeed, unprotected, and unprovided for, on the shore of a rude and fearful wilderness; but it was politic, intelligent, and educated man. Every thing was civilized but the physical world. Institutions, containing in substance all that ages had done for human government, were organized in a forest. Cultivated mind was to act on uncultivated nature; and, more than all, a government and a country were to commence, with the very first foundations laid under the divine light of the Christian religion. Happy auspices of a happy futurity! Who would wish that his country's existence had otherwise begun? Who would desire the power of going back to the ages of fable? Who would wish for an origin obscured in the darkness of antiquity? Who would wish for other emblazoning of his country's heraldry, or other ornaments of her genealogy, than to be able to say, that her first existence was with intelligence, her first breath the inspiration of liberty, her first principle the truth of divine religion?

Local attachments and sympathies would ere long spring up in the breasts of our ancestors, endearing to them the place of their refuge. Whatever natural objects are associated with interesting scenes and high efforts obtain a hold on human feeling, and demand from the heart a sort of recognition and regard. This Rock soon became hallowed in the esteem of the Pilgrims,†

* For the compact to which reference is made in the text, signed on board the Mayflower, see Hutchinson's History, Vol. II., Appendix, No. I. For an eloquent description of the manner in which the first Christian Sabbath was passed on board the Mayflower, at Plymouth, see Barnes's Discourse at Worcester.

† The names of the passengers in the Mayflower, with some account of them,

and these hills grateful to their sight. Neither they nor their children were again to till the soil of England, nor again to traverse the seas which surround her.* But here was a new sea, now open to their enterprise, and a new soil, which had not failed to respond gratefully to their laborious industry, and which was already assuming a robe of verdure. Hardly had they provided shelter for the living, ere they were summoned to erect sepulchres for the dead. The ground had become sacred, by inclosing the remains of some of their companions and connections. A parent, a child, a husband, or a wife, had gone the way of all flesh, and mingled with the dust of New England. We naturally look with strong emotions to the spot, though it be a wilderness, where the ashes of those we have loved repose. Where the heart has laid down what it loved most, there it is desirous of laying itself down. No sculptured marble, no enduring monument, no honorable inscription, no ever-burning taper that would drive away the darkness of the tomb, can soften our sense of the reality of death, and hallow to our feelings the ground which is to cover us, like the consciousness that we shall sleep, dust to dust, with the objects of our affections.

In a short time other causes sprung up to bind the Pilgrims with new cords to their chosen land. Children were born, and the hopes of future generations arose, in the spot of their new habitation. The second generation found this the land of their nativity, and saw that they were bound to its fortunes. They beheld their fathers' graves around them, and while they read the memorials of their toils and labors, they rejoiced in the inheritance which they found bequeathed to them.

Under the influence of these causes, it was to be expected, that an interest and a feeling should arise here, entirely different from the interest and feeling of mere Englishmen; and all the subsequent history of the Colonies proves this to have actually and gradually taken place. With a general acknowledgment

may be found in the New England Genealogical Register, Vol. I. p. 47, and a narration of some of the incidents of the voyage, Vol. II. p. 186. For an account of Mrs. White, the mother of the first child born in New England, see Baylies's History of Plymouth, Vol. II. p. 18, and for a notice of her son Peregrine, see Moore's Lives of American Governors, Vol. I. p. 31, note.

* See the admirable letter written on board the Arbella, in Hutchinson's History, Vol. I., Appendix, No. I.

of the supremacy of the British crown, there was, from the first, a repugnance to an entire submission to the control of British legislation. The Colonies stood upon their charters, which, as they contended, exempted them from the ordinary power of the British Parliament, and authorized them to conduct their own concerns by their own counsels. They utterly resisted the notion that they were to be ruled by the mere authority of the government at home, and would not endure even that their own charter governments should be established on the other side of the Atlantic. It was not a controlling or protecting board in England, but a government of their own, and existing immediately within their limits, which could satisfy their wishes. It was easy to foresee, what we know also to have happened, that the first great cause of collision and jealousy would be, under the notion of political economy then and still prevalent in Europe, an attempt on the part of the mother country to monopolize the trade of the Colonies. Whoever has looked deeply into the causes which produced our Revolution has found, if I mistake not, the original principle far back in this claim, on the part of England, to monopolize our trade, and a continued effort on the part of the Colonies to resist or evade that monopoly; if, indeed, it be not still more just and philosophical to go farther back, and to consider it decided, that an independent government must arise here, the moment it was ascertained that an English colony, such as landed in this place, could sustain itself against the dangers which surrounded it, and, with other similar establishments, overspread the land with an English population. Accidental causes retarded at times, and at times accelerated, the progress of the controversy. The Colonies wanted strength, and time gave it to them. They required measures of strong and palpable injustice, on the part of the mother country, to justify resistance; the early part of the late king's reign furnished them. They needed spirits of high order, of great daring, of long foresight, and of commanding power, to seize the favoring occasion to strike a blow, which should sever, for all time, the tie of colonial dependence; and these spirits were found, in all the extent which that or any crisis could demand, in Otis, Adams, Hancock, and the other immediate authors of our independence.

Still, it is true that, for a century, causes had been in operation tending to prepare things for this great result. In the year

1660 the English Act of Navigation was passed; the first and grand object of which seems to have been, to secure to England the whole trade with her plantations.* It was provided by that act, that none but English ships should transport American produce over the ocean, and that the principal articles of that produce should be allowed to be sold only in the markets of the mother country. Three years afterwards another law was passed, which enacted, that such commodities as the Colonies might wish to purchase should be bought only in the markets of the mother country. Severe rules were prescribed to enforce the provisions of these laws, and heavy penalties imposed on all who should violate them. In the subsequent years of the same reign, other statutes were enacted to reënforce these statutes, and other rules prescribed to secure a compliance with these rules. In this manner was the trade to and from the Colonies restricted, almost to the exclusive advantage of the parent country. But laws, which rendered the interest of a whole people subordinate to that of another people, were not likely to execute themselves; nor was it easy to find many on the spot, who could be depended upon for carrying them into execution. In fact, these laws were more or less evaded or resisted, in all the Colonies. To enforce them was the constant endeavor of the government at home; to prevent or elude their operation, the perpetual object here. "The laws of navigation," says a living British writer, "were nowhere so openly disobeyed and contemned as in New England." "The people of Massachusetts Bay," he adds, "were from the first disposed to act as if independent of the mother country, and having a governor and magistrates of their own choice, it was difficult to enforce any regulation which came from the English Parliament, adverse to their interests." To provide more effectually for the execution of these laws, we know that courts of admiralty were afterwards established by the crown, with power to try revenue causes, as questions of admiralty, upon the construction given by the crown lawyers to an act of Parliament; a great departure from the ordinary principles of English jurisprudence, but which has been maintained, nevertheless,

* In reference to the British policy respecting Colonial manufactures, see Representations of the Board of Trade to the House of Lords, 23d Jan., 1734; also, 8th June, 1749. For an able vindication of the British Colonial policy, see "Political Essays concerning the Present State of the British Empire." London, 1772.

by the force of habit and precedent, and is adopted in our own existing systems of government.

"There lie," says another English writer, whose connection with the Board of Trade has enabled him to ascertain many facts connected with Colonial history, "There lie among the documents in the board of trade and state-paper office, the most satisfactory proofs, from the epoch of the English Revolution in 1688, throughout every reign, and during every administration, of the settled purpose of the Colonies to acquire direct independence and positive sovereignty." Perhaps this may be stated somewhat too strongly; but it cannot be denied, that, from the very nature of the establishments here, and from the general character of the measures respecting their concerns early adopted and steadily pursued by the English government, a division of the empire was the natural and necessary result to which every thing tended.*

I have dwelt on this topic, because it seems to me, that the peculiar original character of the New England Colonies, and certain causes coeval with their existence, have had a strong and decided influence on all their subsequent history, and especially on the great event of the Revolution. Whoever would write our history, and would understand and explain early transactions, should comprehend the nature and force of the feeling which I have endeavored to describe. As a son, leaving the house of his father for his own, finds, by the order of nature, and the very law of his being, nearer and dearer objects around which his affections circle, while his attachment to the parental roof becomes moderated, by degrees, to a composed regard and an affectionate remembrance; so our ancestors, leaving their native land, not without some violence to the feelings of nature and affection, yet, in time, found here a new circle of engagements, interests, and affections; a feeling, which more and more encroached upon the old, till an undivided sentiment, *that this was their country*, occupied the heart; and patriotism, shutting out from its embraces the parent realm, became *local* to America.

Some retrospect of the century which has now elapsed is

* Many interesting papers, illustrating the early history of the Colony, may be found in Hutchinson's "Collection of Original Papers relating to the History of the Colony of Massachusetts Bay."

among the duties of the occasion. It must, however, necessarily be imperfect, to be compressed within the limits of a single discourse. I shall content myself, therefore, with taking notice of a few of the leading and most important occurrences which have distinguished the period.

When the first century closed, the progress of the country appeared to have been considerable; notwithstanding that, in comparison with its subsequent advancement, it now seems otherwise. A broad and lasting foundation had been laid; excellent institutions had been established; many of the prejudices of former times had been removed; a more liberal and catholic spirit on subjects of religious concern had begun to extend itself, and many things conspired to give promise of increasing future prosperity. Great men had arisen in public life, and the liberal professions. The Mathers, father and son, were then sinking low in the western horizon; Leverett, the learned, the accomplished, the excellent Leverett, was about to withdraw his brilliant and useful light. In Pemberton great hopes had been suddenly extinguished, but Prince and Colman were in our sky; and along the east had begun to flash the crepuscular light of a great luminary which was about to appear, and which was to stamp the age with his own name, as the age of Franklin.

The bloody Indian wars, which harassed the people for a part of the first century; the restrictions on the trade of the Colonies, added to the discouragements inherently belonging to all forms of colonial government; the distance from Europe, and the small hope of immediate profit to adventurers, are among the causes which had contributed to retard the progress of population. Perhaps it may be added, also, that during the period of the civil wars in England, and the reign of Cromwell, many persons, whose religious opinions and religious temper might, under other circumstances, have induced them to join the New England colonists, found reasons to remain in England; either on account of active occupation in the scenes which were passing, or of an anticipation of the enjoyment, in their own country, of a form of government, civil and religious, accommodated to their views and principles. The violent measures, too, pursued against the Colonies in the reign of Charles the Second, the mockery of a trial, and the forfeiture of the charters, were serious evils. And during the open vio-

lences of the short reign of James the Second, and the tyranny of Andros, as the venerable historian of Connecticut observes, "All the motives to great actions, to industry, economy, enterprise, wealth, and population, were in a manner annihilated. A general inactivity and languishment pervaded the public body. Liberty, property, and every thing which ought to be dear to men, every day grew more and more insecure."

With the Revolution in England, a better prospect had opened on this country, as well as on that. The joy had been as great at that event, and far more universal, in New than in Old England. A new charter had been granted to Massachusetts, which, although it did not confirm to her inhabitants all their former privileges, yet relieved them from great evils and embarrassments, and promised future security. More than all, perhaps, the Revolution in England had done good to the general cause of liberty and justice. A blow had been struck in favor of the rights and liberties, not of England alone, but of descendants and kinsmen of England all over the world. Great political truths had been established. The champions of liberty had been successful in a fearful and perilous conflict. Somers, and Cavendish, and Jekyl, and Howard, had triumphed in one of the most noble causes ever undertaken by men. A revolution had been made upon principle. A monarch had been dethroned for violating the original compact between king and people. The rights of the people to partake in the government, and to limit the monarch by fundamental rules of government, had been maintained; and however unjust the government of England might afterwards be towards other governments or towards her colonies, she had ceased to be governed herself by the arbitrary maxims of the Stuarts.

New England had submitted to the violence of James the Second not longer than Old England. Not only was it reserved to Massachusetts, that on her soil should be acted the first scene of that great revolutionary drama, which was to take place near a century afterwards, but the English Revolution itself, as far as the Colonies were concerned, commenced in Boston. The seizure and imprisonment of Andros, in April, 1689, were acts of direct and forcible resistance to the authority of James the Second. The pulse of liberty beat as high in the extremities as at the heart. The vigorous feeling of the Colony burst out

before it was known how the parent country would finally conduct herself. The king's representative, Sir Edmund Andros, was a prisoner in the castle at Boston, before it was or could be known that the king himself had ceased to exercise his full dominion on the English throne.

Before it was known here whether the invasion of the Prince of Orange would or could prove successful, as soon as it was known that it had been undertaken, the people of Massachusetts, at the imminent hazard of their lives and fortunes, had accomplished the Revolution as far as respected themselves. It is probable that, reasoning on general principles and the known attachment of the English people to their constitution and liberties, and their deep and fixed dislike of the king's religion and politics, the people of New England expected a catastrophe fatal to the power of the reigning prince. Yet it was neither certain enough, nor near enough, to come to their aid against the authority of the crown, in that crisis which had arrived, and in which they trusted to put themselves, relying on God and their own courage. There were spirits in Massachusetts congenial with the spirits of the distinguished friends of the Revolution in England. There were those who were fit to associate with the boldest asserters of civil liberty; and Mather himself then in England, was not unworthy to be ranked with those sons of the Church, whose firmness and spirit in resisting kingly encroachments in matters of religion, entitled them to the gratitude of their own and succeeding ages.

The second century opened upon New England under circumstances which evinced that much had already been accomplished, and that still better prospects and brighter hopes were before her. She had laid, deep and strong, the foundations of her society. Her religious principles were firm, and her moral habits exemplary. Her public schools had begun to diffuse widely the elements of knowledge; and the College, under the excellent and acceptable administration of Leverett, had been raised to a high degree of credit and usefulness.

The commercial character of the country, notwithstanding all discouragements, had begun to display itself, and *five hundred vessels*, then belonging to Massachusetts, placed her, in relation to commerce, thus early at the head of the Colonies. An author who wrote very near the close of the first century says:—

"New England is almost deserving that *noble name*, so mightily hath it increased; and from a small settlement at first, is now become a *very populous* and *flourishing* government. The *capital city*, Boston, is a place of *great wealth and trade;* and by much the largest of any in the English empire of America; and not exceeded but by few cities, perhaps two or three, in all the American world."

But if our ancestors at the close of the first century could look back with joy, and even admiration, at the progress of the country, what emotions must we not feel, when, from the point on which we stand, we also look back and run along the events of the century which has now closed! The country which then, as we have seen, was thought deserving of a "noble name," — which then had "mightily increased," and become "very populous," — what was it, in comparison with what our eyes behold it? At that period, a very great proportion of its inhabitants lived in the eastern section of Massachusetts proper, and in Plymouth Colony. In Connecticut, there were towns along the coast, some of them respectable, but in the interior all was a wilderness beyond Hartford. On Connecticut River, settlements had proceeded as far up as Deerfield, and Fort Dummer had been built near where is now the south line of New Hampshire. In New Hampshire no settlement was then begun thirty miles from the mouth of Piscataqua River, and in what is now Maine, the inhabitants were confined to the coast. The aggregate of the whole population of New England did not exceed one hundred and sixty thousand. Its present amount (1820) is probably one million seven hundred thousand. Instead of being confined to its former limits, her population has rolled backward, and filled up the spaces included within her actual local boundaries. Not this only, but it has overflowed those boundaries, and the waves of emigration have pressed farther and farther toward the West. The Alleghany has not checked it; the banks of the Ohio have been covered with it. New England farms, houses, villages, and churches spread over and adorn the immense extent from the Ohio to Lake Erie, and stretch along from the Alleghany onwards, beyond the Miamis, and toward the Falls of St. Anthony. Two thousand miles westward from the rock where their fathers landed, may now be found the sons of the Pilgrims, cultivating smiling fields, rearing towns and villages, and

cherishing, we trust, the patrimonial blessings of wise institutions, of liberty, and religion. The world has seen nothing like this. Regions large enough to be empires, and which half a century ago, were known only as remote and unexplored wildernesses, are now teeming with population, and prosperous in all the great concerns of life; in good governments, the means of subsistence, and social happiness. It may be safely asserted, that there are now more than a million of people, descendants of New England ancestry, living, free and happy, in regions which scarce sixty years ago were tracts of unpenetrated forest. Nor do rivers, or mountains, or seas resist the progress of industry and enterprise. Ere long, the sons of the Pilgrims will be on the shores of the Pacific.* The imagination hardly keeps pace with the progress of population, improvement, and civilization.

It is now five-and-forty years since the growth and rising glory of America were portrayed in the English Parliament, with inimitable beauty, by the most consummate orator of modern times. Going back somewhat more than half a century, and describing our progress as foreseen from that point by his amiable friend Lord Bathurst, then living, he spoke of the wonderful progress which America had made during the period of a single human life. There is no American heart, I imagine, that does not glow, both with conscious, patriotic pride, and admiration for one of the happiest efforts of eloquence, so often as the vision of "that little speck, scarce visible in the mass of national interest, a small seminal principle, rather than a formed body," and the progress of its astonishing development and growth, are recalled to the recollection. But a stronger feeling might be produced, if we were able to take up this prophetic description where he left it, and, placing ourselves at the point of time in which he was speaking, to set forth with equal felicity the subsequent progress of the country. There is yet among the living a most distinguished and venerable name, a descendant of the Pilgrims; one who has been attended through life by a great and fortunate genius; a man illustrious by his own great merits, and favored of Heaven in the long continuation of his years.† The time when the English orator

* In reference to the fulfilment of this prediction, see Mr. Webster's Address at the Celebration of the New England Society of New York, on the 23d of December, 1850.

† John Adams, second President of the United States.

was thus speaking of America preceded but by a few days the actual opening of the revolutionary drama at Lexington. He to whom I have alluded, then at the age of forty, was among the most zealous and able defenders of the violated rights of his country. He seemed already to have filled a full measure of public service, and attained an honorable fame. The moment was full of difficulty and danger, and big with events of immeasurable importance. The country was on the very brink of a civil war, of which no man could foretell the duration or the result. Something more than a courageous hope, or characteristic ardor, would have been necessary to impress the glorious prospect on his belief, if, at that moment, before the sound of the first shock of actual war had reached his ears, some attendant spirit had opened to him the vision of the future;—if it had said to him, "The blow is struck, and America is severed from England for ever!"—if it had informed him, that he himself, during the next annual revolution of the sun, should put his own hand to the great instrument of independence, and write his name where all nations should behold it and all time should not efface it; that ere long he himself should maintain the interests and represent the sovereignty of his new-born country in the proudest courts of Europe; that he should one day exercise her supreme magistracy; that he should yet live to behold ten millions of fellow-citizens paying him the homage of their deepest gratitude and kindest affections; that he should see distinguished talent and high public trust resting where his name rested; that he should even see with his own unclouded eyes the close of the second century of New England, who had begun life almost with its commencement, and lived through nearly half the whole history of his country; and that on the morning of this auspicious day he should be found in the political councils of his native State, revising, by the light of experience, that system of government which forty years before he had assisted to frame and establish; and, great and happy as he should then behold his country, there should be nothing in prospect to cloud the scene, nothing to check the ardor of that confident and patriotic hope which should glow in his bosom to the end of his long protracted and happy life.

It would far exceed the limits of this discourse even to mention the principal events in the civil and political history of New

England during the century; the more so, as for the last half of the period that history has, most happily, been closely interwoven with the general history of the United States. New England bore an honorable part in the wars which took place between England and France. The capture of Louisburg gave her a character for military achievement; and in the war which terminated with the peace of 1763, her exertions on the frontiers were of most essential service, as well to the mother country as to all the Colonies.

In New England the war of the Revolution commenced. I address those who remember the memorable 19th of April, 1775; who shortly after saw the burning spires of Charlestown; who beheld the deeds of Prescott, and heard the voice of Putnam amidst the storm of war, and saw the generous Warren fall, the first distinguished victim in the cause of liberty. It would be superfluous to say, that no portion of the country did more than the States of New England to bring the Revolutionary struggle to a successful issue. It is scarcely less to her credit, that she saw early the necessity of a closer union of the States, and gave an efficient and indispensable aid to the establishment and organization of the federal government.

Perhaps we might safely say, that a new spirit and a new excitement began to exist here about the middle of the last century. To whatever causes it may be imputed, there seems then to have commenced a more rapid improvement. The Colonies had attracted more of the attention of the mother country, and some renown in arms had been acquired. Lord Chatham was the first English minister who attached high importance to these possessions of the crown, and who foresaw any thing of their future growth and extension. His opinion was, that the great rival of England was chiefly to be feared as a maritime and commercial power, and to drive her out of North America and deprive her of her West Indian possessions was a leading object in his policy. He dwelt often on the fisheries, as nurseries for British seamen, and the colonial trade, as furnishing them employment. The war, conducted by him with so much vigor, terminated in a peace, by which Canada was ceded to England. The effect of this was immediately visible in the New England Colonies; for, the fear of Indian hostilities on the frontiers being now happily removed, settlements went on with

an activity before that time altogether unprecedented, and public affairs wore a new and encouraging aspect. Shortly after this fortunate termination of the French war, the interesting topics connected with the taxation of America by the British Parliament began to be discussed, and the attention and all the faculties of the people drawn towards them. There is perhaps no portion of our history more full of interest than the period from 1760 to the actual commencement of the war. The progress of opinion in this period, though less known, is not less important than the progress of arms afterwards. Nothing deserves more consideration than those events and discussions which affected the public sentiment and settled the revolution in men's minds, before hostilities openly broke out.

Internal improvement followed the establishment and prosperous commencement of the present government. More has been done for roads, canals, and other public works, within the last thirty years, than in all our former history. In the first of these particulars, few countries excel the New England States. The astonishing increase of their navigation and trade is known to every one, and now belongs to the history of our national wealth.

We may flatter ourselves, too, that literature and taste have not been stationary, and that some advancement has been made in the elegant, as well as in the useful arts.

The nature and constitution of society and government in this country are interesting topics, to which I would devote what remains of the time allowed to this occasion. Of our system of government the first thing to be said is, that it is really and practically a free system. It originates entirely with the people, and rests on no other foundation than their assent. To judge of its actual operation, it is not enough to look merely at the form of its construction. The practical character of government depends often on a variety of considerations, besides the abstract frame of its constitutional organization. Among these are the condition and tenure of property; the laws regulating its alienation and descent; the presence or absence of a military power; an armed or unarmed yeomanry; the spirit of the age, and the degree of general intelligence. In these respects it cannot be denied that the circumstances of this country are most favorable to the hope of maintaining the govern-

ment of a great nation on principles entirely popular. In the absence of military power, the nature of government must essentially depend on the manner in which property is holden and distributed. There is a natural influence belonging to property, whether it exists in many hands or few; and it is on the rights of property that both despotism and unrestrained popular violence ordinarily commence their attacks. Our ancestors began their system of government here under a condition of comparative equality in regard to wealth, and their early laws were of a nature to favor and continue this equality.

A republican form of government rests not more on political constitutions, than on those laws which regulate the descent and transmission of property. Governments like ours could not have been maintained, where property was holden according to the principles of the feudal system; nor, on the other hand, could the feudal constitution possibly exist with us. Our New England ancestors brought hither no great capitals from Europe; and if they had, there was nothing productive in which they could have been invested. They left behind them the whole feudal policy of the other continent. They broke away at once from the system of military service established in the Dark Ages, and which continues, down even to the present time, more or less to affect the condition of property all over Europe. They came to a new country. There were, as yet, no lands yielding rent, and no tenants rendering service. The whole soil was unreclaimed from barbarism. They were themselves, either from their original condition, or from the necessity of their common interest, nearly on a general level in respect to property. Their situation demanded a parcelling out and division of the lands, and it may be fairly said, that this necessary act *fixed the future frame and form of their government.* The character of their political institutions was determined by the fundamental laws respecting property. The laws rendered estates divisible among sons and daughters. The right of primogeniture, at first limited and curtailed, was afterwards abolished. The property was all freehold. The entailment of estates, long trusts, and the other processes for fettering and tying up inheritances, were not applicable to the condition of society, and seldom made use of. On the contrary, alienation of the land was every way facilitated, even to the subjecting of

it to every species of debt. The establishment of public registries, and the simplicity of our forms of conveyance, have greatly facilitated the change of real estate from one proprietor to another. The consequence of all these causes has been, a great subdivision of the soil, and a great equality of condition; the true basis, most certainly, of a popular government. "If the people," says Harrington, "hold three parts in four of the territory, it is plain there can neither be any single person nor nobility able to dispute the government with them; in this case, therefore, *except force be interposed*, they govern themselves."

The history of other nations may teach us how favorable to public liberty are the division of the soil into small freeholds, and a system of laws, of which the tendency is, without violence or injustice, to produce and to preserve a degree of equality of property. It has been estimated, if I mistake not, that about the time of Henry the Seventh four fifths of the land in England was holden by the great barons and ecclesiastics. The effects of a growing commerce soon afterwards began to break in on this state of things, and before the Revolution, in 1688, a vast change had been wrought. It may be thought probable, that, for the last half-century, the process of subdivision in England has been retarded, if not reversed; that the great weight of taxation has compelled many of the lesser freeholders to dispose of their estates, and to seek employment in the army and navy, in the professions of civil life, in commerce, or in the colonies. The effect of this on the British constitution cannot but be most unfavorable. A few large estates grow larger; but the number of those who have no estates also increases; and there may be danger, lest the inequality of property become so great, that those who possess it may be dispossessed by force; in other words, that the government may be overturned.

A most interesting experiment of the effect of a subdivision of property on government is now making in France. It is understood, that the law regulating the transmission of property in that country, now divides it, real and personal, among all the children equally, both sons and daughters; and that there is, also, a very great restraint on the power of making dispositions of property by will. It has been supposed, that the effects of this might probably be, in time, to break up the soil into such small

subdivisions, that the proprietors would be too poor to resist the encroachments of executive power. I think far otherwise. What is lost in individual wealth will be more than gained in numbers, in intelligence, and in a sympathy of sentiment. If, indeed, only one or a few landholders were to resist the crown, like the barons of England, they must, of course, be great and powerful landholders, with multitudes of retainers, to promise success. But if the proprietors of a given extent of territory are summoned to resistance, there is no reason to believe that such resistance would be less forcible, or less successful, because the number of such proprietors happened to be great. Each would perceive his own importance, and his own interest, and would feel that natural elevation of character which the consciousness of property inspires. A common sentiment would unite all, and numbers would not only add strength, but excite enthusiasm. It is true, that France possesses a vast military force, under the direction of an hereditary executive government; and military power, it is possible, may overthrow any government. It is in vain, however, in this period of the world, to look for security against military power to the arm of the great landholders. That notion is derived from a state of things long since past; a state in which a feudal baron, with his retainers, might stand against the sovereign and his retainers, himself but the greatest baron. But at present, what could the richest landholder do, against one regiment of disciplined troops? Other securities, therefore, against the prevalence of military power must be provided. Happily for us, we are not so situated as that any purpose of national defence requires, ordinarily and constantly, such a military force as might seriously endanger our liberties.

In respect, however, to the recent law of succession in France, to which I have alluded, I would, presumptously perhaps, hazard a conjecture, that, if the government do not change the law, the law in half a century will change the government; and that this change will be, not in favor of the power of the crown, as some European writers have supposed, but against it. Those writers only reason upon what they think correct general principles, in relation to this subject. They acknowledge a want of experience. Here we have had that experience; and we know that a multitude of small proprietors, acting with intelligence,

and that enthusiasm which a common cause inspires, constitute not only a formidable, but an invincible power.*

The true principle of a free and popular government would seem to be, so to construct it as to give to all, or at least to a very great majority, an interest in its preservation; to found it, as other things are founded, on men's interest. The stability of government demands that those who desire its continuance should be more powerful than those who desire its dissolution. This power, of course, is not always to be measured by mere numbers. Education, wealth, talents, are all parts and elements of the general aggregate of power; but numbers, nevertheless, constitute ordinarily the most important consideration, unless, indeed, there be *a military force* in the hands of the few, by which they can control the many. In this country we have actually existing systems of government, in the maintenance of which, it should seem, a great majority, both in numbers and in other means of power and influence, must see their interest. But this state of things is not brought about solely by written political constitutions, or the mere manner of organizing the government; but also by the laws which regulate the descent and transmission of property. The freest government, if it could exist, would not be long acceptable, if the tendency of the laws were to create a rapid accumulation of property in few hands, and to render the great mass of the population dependent and penniless. In such a case, the popular power would be likely to break in upon the rights of property, or else the influence of property to limit and control the exercise of popular power. Universal suffrage, for example, could not long exist in a community where there was great inequality of property. The holders of estates would be obliged, in such case, in some way to restrain the right of suffrage, or else such right of suffrage would, before long, divide the property. In the nature of things, those who have not property, and see their neighbors possess much more than they think them to need, cannot be favorable to laws made for the protection of property. When this class becomes numerous, it grows clamorous. It looks on property as its prey and plunder, and is naturally ready, at all times, for violence and revolution.

* See Note B, at the end of the Discourse.

It would seem, then, to be the part of political wisdom to found government on property; and to establish such distribution of property, by the laws which regulate its transmission and alienation, as to interest the great majority of society in the support of the government. This is, I imagine, the true theory and the actual practice of our republican institutions. With property divided as we have it, no other government than that of a republic could be maintained, even were we foolish enough to desire it. There is reason, therefore, to expect a long continuance of our system. Party and passion, doubtless, may prevail at times, and much temporary mischief be done. Even modes and forms may be changed, and perhaps for the worse. But a great revolution in regard to property must take place, before our governments can be moved from their republican basis, unless they be violently struck off by military power. The people possess the property, more emphatically than it could ever be said of the people of any other country, and they can have no interest to overturn a government which protects that property by equal laws.

Let it not be supposed, that this state of things possesses too strong tendencies towards the production of a dead and uninteresting level in society. Such tendencies are sufficiently counteracted by the infinite diversities in the characters and fortunes of individuals. Talent, activity, industry, and enterprise tend at all times to produce inequality and distinction; and there is room still for the accumulation of wealth, with its great advantages, to all reasonable and useful extent. It has been often urged against the state of society in America, that it furnishes no class of men of fortune and leisure. This may be partly true, but it is not entirely so, and the evil, if it be one, would affect rather the progress of taste and literature, than the general prosperity of the people. But the promotion of taste and literature cannot be primary objects of political institutions; and if they could, it might be doubted whether, in the long course of things, as much is not gained by a wide diffusion of general knowledge, as is lost by diminishing the number of those who are enabled by fortune and leisure to devote themselves exclusively to scientific and literary pursuits. However this may be, it is to be considered that it is the spirit of our system to be equal and general, and if there be particular disadvantages

incident to this, they are far more than counterbalanced by the benefits which weigh against them. The important concerns of society are generally conducted, in all countries, by the men of business and practical ability; and even in matters of taste and literature, the advantages of mere leisure are liable to be overrated. If there exist adequate means of education and a love of letters be excited, that love will find its way to the object of its desire, through the crowd and pressure of the most busy society.

Connected with this division of property, and the consequent participation of the great mass of people in its possession and enjoyments, is the system of representation, which is admirably accommodated to our condition, better understood among us, and more familiarly and extensively practised, in the higher and in the lower departments of government, than it has been by any other people. Great facility has been given to this in New England by the early division of the country into townships or small districts, in which all concerns of local police are regulated, and in which representatives to the legislature are elected. Nothing can exceed the utility of these little bodies. They are so many councils or parliaments, in which common interests are discussed, and useful knowledge acquired and communicated.

The division of governments into departments, and the division, again, of the legislative department into two chambers, are essential provisions in our system. This last, although not new in itself, yet seems to be new in its application to governments wholly popular. The Grecian republics, it is plain, knew nothing of it; and in Rome, the check and balance of legislative power, such as it was, lay between the people and the senate. Indeed, few things are more difficult than to ascertain accurately the true nature and construction of the Roman commonwealth. The relative power of the senate and the people, of the consuls and the tribunes, appears not to have been at all times the same, nor at any time accurately defined or strictly observed. Cicero, indeed, describes to us an admirable arrangement of political power, and a balance of the constitution, in that beautiful passage, in which he compares the democracies of Greece with the Roman commonwealth. "O morem preclarum, disciplinamque, quam a majoribus accepimus, si quidem

teneremus! sed nescio quo pacto jam de manibus elabitur. Nullam enim illi nostri sapientissimi et sanctissimi viri vim concionis esse voluerunt, quæ scisseret plebs, aut quæ populus juberet; summota concione, distributis partibus, tributim et centuriatim descriptis ordinibus, classibus, ætatibus, auditis auctoribus, re multos dies promulgata et cognita, juberi vetarique voluerunt. Græcorum autem totæ respublicæ sedentis conciónis temeritate administrantur." *

But at what time this wise system existed in this perfection at Rome, no proofs remain to show. Her constitution, originally framed for a monarchy, never seemed to be adjusted in its several parts after the expulsion of the kings. Liberty there was, but it was a disputatious, an uncertain, an ill-secured liberty. The patrician and plebeian orders, instead of being matched and joined, each in its just place and proportion, to sustain the fabric of the state, were rather like hostile powers, in perpetual conflict. With us, an attempt has been made, and so far not without success, to divide representation into chambers, and, by difference of age, character, qualification, or mode of election, to establish salutary checks, in governments altogether elective.

Having detained you so long with these observations, I must yet advert to another most interesting topic, — the Free Schools. In this particular, New England may be allowed to claim, I think, a merit of a peculiar character. She early adopted, and has constantly maintained the principle, that it is the undoubted right and the bounden duty of government to provide for the instruction of all youth. That which is elsewhere left to chance or to charity, we secure by law.† For the purpose of public instruction, we hold every man subject to taxation in proportion to his property, and we look not to the question, whether he himself have, or have not, children to be benefited by the education for which he pays. We regard it as a wise and lib-

* Oratio pro Flacco, § 7.

† The first free school established by law in the Plymouth Colony was in 1670–72. One of the early teachers in Boston taught school more than *seventy* years. See Cotton Mather's "Funeral Sermon upon Mr. Ezekiel Cheever, the ancient and honorable Master of the Free School in Boston."

For the impression made upon the mind of an intelligent foreigner by the general attention to popular education, as characteristic of the American polity, see Mackay's Western World, Vol. III. p. 225 *et seq.* Also, Edinburgh Review, No. 186.

eral system of police, by which property, and life, and the peace of society are secured. We seek to prevent in some measure the extension of the penal code, by inspiring a salutary and conservative principle of virtue and of knowledge in an early age. We strive to excite a feeling of respectability, and a sense of character, by enlarging the capacity and increasing the sphere of intellectual enjoyment. By general instruction, we seek, as far as possible, to purify the whole moral atmosphere; to keep good sentiments uppermost, and to turn the strong current of feeling and opinion, as well as the censures of the law and the denunciations of religion, against immorality and crime. We hope for a security beyond the law, and above the law, in the prevalence of an enlightened and well-principled moral sentiment. We hope to continue and prolong the time, when, in the villages and farm-houses of New England, there may be undisturbed sleep within unbarred doors. And knowing that our government rests directly on the public will, in order that we may preserve it we endeavor to give a safe and proper direction to that public will. We do not, indeed, expect all men to be philosophers or statesmen; but we confidently trust, and our expectation of the duration of our system of government rests on that trust, that, by the diffusion of general knowledge and good and virtuous sentiments, the political fabric may be secure, as well against open violence and overthrow, as against the slow, but sure, undermining of licentiousness.

We know that, at the present time, an attempt is making in the English Parliament to provide by law for the education of the poor, and that a gentleman of distinguished character (Mr. Brougham) has taken the lead in presenting a plan to government for carrying that purpose into effect. And yet, although the representatives of the three kingdoms listened to him with astonishment as well as delight, we hear no principles with which we ourselves have not been familiar from youth; we see nothing in the plan but an approach towards that system which has been established in New England for more than a century and a half. It is said that in England not more than *one child in fifteen* possesses the means of being taught to read and write; in Wales, *one in twenty;* in France, until lately, when some improvement was made, not more than *one in thirty-five.* Now, it is hardly too strong to say, that in New England *every child*

possesses such means. It would be difficult to find an instance to the contrary, unless where it should be owing to the negligence of the parent; and, in truth, the means are actually used and enjoyed by nearly every one. A youth of fifteen, of either sex, who cannot both read and write, is very seldom to be found. Who can make this comparison, or contemplate this spectacle, without delight and a feeling of just pride? Does any history show property more beneficently applied? Did any government ever subject the property of those who have estates to a burden, for a purpose more favorable to the poor, or more useful to the whole community?

A conviction of the importance of public instruction was one of the earliest sentiments of our ancestors. No lawgiver of ancient or modern times has expressed more just opinions, or adopted wiser measures, than the early records of the Colony of Plymouth show to have prevailed here. Assembled on this very spot, a hundred and fifty-three years ago, the legislature of this Colony declared, "Forasmuch as the maintenance of good literature doth much tend to the advancement of the weal and flourishing state of societies and republics, this Court doth therefore order, that in whatever township in this government, consisting of fifty families or upwards, any meet man shall be obtained to teach a grammar school, such township shall allow at least twelve pounds, to be raised by rate on all the inhabitants."

Having provided that all youth should be instructed in the elements of learning by the institution of free schools, our ancestors had yet another duty to perform. Men were to be educated for the professions and the public. For this purpose they founded the University, and with incredible zeal and perseverance they cherished and supported it, through all trials and discouragements.* On the subject of the University, it is not possible for a son of New England to think without pleasure, or to speak without emotion. Nothing confers more honor on the State where it is established, or more utility on the country at large. A respectable university is an establishment which must

* By a law of the Colony of Massachusetts Bay, passed as early as 1647, it was ordered, that, "when any town shall increase to the number of one hundred families or householders, they shall set up a grammar school, the master thereof being able to instruct youth so far as they may be fitted for the University."

be the work of time. If pecuniary means were not wanting, no new institution could possess character and respectability at once. We owe deep obligation to our ancestors, who began, almost on the moment of their arrival, the work of building up this institution.

Although established in a different government, the Colony of Plymouth manifested warm friendship for Harvard College. At an early period, its government took measures to promote a general subscription throughout all the towns in this Colony, in aid of its small funds. Other colleges were subsequently founded and endowed, in other places, as the ability of the people allowed; and we may flatter ourselves, that the means of education at present enjoyed in New England are not only adequate to the diffusion of the elements of knowledge among all classes, but sufficient also for respectable attainments in literature and the sciences.

Lastly, our ancestors established their system of government on morality and religious sentiment. Moral habits, they believed, cannot safely be trusted on any other foundation than religious principle, nor any government be secure which is not supported by moral habits. Living under the heavenly light of revelation, they hoped to find all the social dispositions, all the duties which men owe to each other and to society, enforced and performed. Whatever makes men good Christians, makes them good citizens. Our fathers came here to enjoy their religion free and unmolested; and, at the end of two centuries, there is nothing upon which we can pronounce more confidently, nothing of which we can express a more deep and earnest conviction, than of the inestimable importance of that religion to man, both in regard to this life and that which is to come.

If the blessings of our political and social condition have not been too highly estimated, we cannot well overrate the responsibility and duty which they impose upon us. We hold these institutions of government, religion, and learning, to be transmitted, as well as enjoyed. We are in the line of conveyance, through which whatever has been obtained by the spirit and efforts of our ancestors is to be communicated to our children.

We are bound to maintain public liberty, and, by the example

of our own systems, to convince the world that order and law, religion and morality, the rights of conscience, the rights of persons, and the rights of property, may all be preserved and secured, in the most perfect manner, by a government entirely and purely elective. If we fail in this, our disaster will be signal, and will furnish an argument, stronger than has yet been found, in support of those opinions which maintain that government can rest safely on nothing but power and coercion. As far as experience may show errors in our establishments, we are bound to correct them; and if any practices exist contrary to the principles of justice and humanity within the reach of our laws or our influence, we are inexcusable if we do not exert ourselves to restrain and abolish them.

I deem it my duty on this occasion to suggest, that the land is not yet wholly free from the contamination of a traffic, at which every feeling of humanity must for ever revolt, — I mean the African slave-trade.* Neither public sentiment, nor the law, has hitherto been able entirely to put an end to this odious and abominable trade. At the moment when God in his mercy has blessed the Christian world with a universal peace, there is reason to fear, that, to the disgrace of the Christian name and character, new efforts are making for the extension of this trade by subjects and citizens of Christian states, in whose hearts there dwell no sentiments of humanity or of justice, and over whom neither the fear of God nor the fear of man exercises a control. In the sight of our law, the African slave-trader is a pirate and a felon; and in the sight of Heaven, an offender far beyond the ordinary depth of human guilt. There is no brighter page of our history, than that which records the measures which have been adopted by the government at an early day, and at different times since, for the suppression of this traffic; and I would call on all the true sons of New England to coöperate with the laws of man, and the justice of Heaven. If there be, within the extent of our knowledge or influence, any participation in this traffic, let us pledge ourselves here, upon the rock of Plymouth, to extirpate and destroy it. It is not fit that the land of the Pilgrims should bear the shame longer. I hear the sound of the hammer, I see

* In reference to the opposition of the Colonies to the slave-trade, see a representation of the Board of Trade to the House of Lords, 23d January, 1733 – 4.

the smoke of the furnaces where manacles and fetters are still forged for human limbs. I see the visages of those who by stealth and at midnight labor in this work of hell, foul and dark, as may become the artificers of such instruments of misery and torture. Let that spot be purified, or let it cease to be of New England. Let it be purified, or let it be set aside from the Christian world; let it be put out of the circle of human sympathies and human regards, and let civilized man henceforth have no communion with it.

I would invoke those who fill the seats of justice, and all who minister at her altar, that they execute the wholesome and necessary severity of the law. I invoke the ministers of our religion, that they proclaim its denunciation of these crimes, and add its solemn sanctions to the authority of human laws. If the pulpit be silent whenever or wherever there may be a sinner bloody with this guilt within the hearing of its voice, the pulpit is false to its trust. I call on the fair merchant, who has reaped his harvest upon the seas, that he assist in scourging from those seas the worst pirates that ever infested them. That ocean, which seems to wave with a gentle magnificence to waft the burden of an honest commerce, and to roll along its treasures with a conscious pride, — that ocean, which hardy industry regards, even when the winds have ruffled its surface, as a field of grateful toil, — what is it to the victim of this oppression, when he is brought to its shores, and looks forth upon it, for the first time, loaded with chains, and bleeding with stripes? What is it to him but a wide-spread prospect of suffering, anguish, and death? Nor do the skies smile longer, nor is the air longer fragrant to him. The sun is cast down from heaven. An inhuman and accursed traffic has cut him off in his manhood, or in his youth, from every enjoyment belonging to his being, and every blessing which his Creator intended for him.

The Christian communities send forth their emissaries of religion and letters, who stop, here and there, along the coast of the vast continent of Africa, and with painful and tedious efforts make some almost imperceptible progress in the communication of knowledge, and in the general improvement of the natives who are immediately about them. Not thus slow and imperceptible is the transmission of the vices and bad passions which the subjects of Christian states carry to the land. The slave-

trade having touched the coast, its influence and its evils spread, like a pestilence, over the whole continent, making savage wars more savage and more frequent, and adding new and fierce passions to the contests of barbarians.

I pursue this topic no further, except again to say, that all Christendom, being now blessed with peace, is bound by every thing which belongs to its character, and to the character of the present age, to put a stop to this inhuman and disgraceful traffic.

We are bound, not only to maintain the general principles of public liberty, but to support also those existing forms of government which have so well secured its enjoyment, and so highly promoted the public prosperity. It is now more than thirty years that these States have been united under the Federal Constitution, and whatever fortune may await them hereafter, it is impossible that this period of their history should not be regarded as distinguished by signal prosperity and success. They must be sanguine indeed, who can hope for benefit from change. Whatever division of the public judgment may have existed in relation to particular measures of the government, all must agree, one should think, in the opinion, that in its general course it has been eminently productive of public happiness. Its most ardent friends could not well have hoped from it more than it has accomplished; and those who disbelieved or doubted ought to feel less concern about predictions which the event has not verified, than pleasure in the good which has been obtained. Whoever shall hereafter write this part of our history, although he may see occasional errors or defects, will be able to record no great failure in the ends and objects of government. Still less will he be able to record any series of lawless and despotic acts, or any successful usurpation. His page will contain no exhibition of provinces depopulated, of civil authority habitually trampled down by military power, or of a community crushed by the burden of taxation. He will speak, rather, of public liberty protected, and public happiness advanced; of increased revenue, and population augmented beyond all example; of the growth of commerce, manufactures, and the arts; and of that happy condition, in which the restraint and coercion of government are almost invisible and imperceptible, and its influence felt only in the benefits which it confers. We can

entertain no better wish for our country, than that this government may be preserved; nor have a clearer duty than to maintain and support it in the full exercise of all its just constitutional powers.

The cause of science and literature also imposes upon us an important and delicate trust. The wealth and population of the country are now so far advanced, as to authorize the expectation of a correct literature and a well formed taste, as well as respectable progress in the abstruse sciences. The country has risen from a state of colonial subjection; it has established an independent government, and is now in the undisturbed enjoyment of peace and political security. The elements of knowledge are universally diffused, and the reading portion of the community is large. Let us hope that the present may be an auspicious era of literature. If, almost on the day of their landing, our ancestors founded schools and endowed colleges, what obligations do not rest upon us, living under circumstances so much more favorable both for providing and for using the means of education? Literature becomes free institutions. It is the graceful ornament of civil liberty, and a happy restraint on the asperities which political controversies sometimes occasion. Just taste is not only an embellishment of society, but it rises almost to the rank of the virtues, and diffuses positive good throughout the whole extent of its influence. There is a connection between right feeling and right principles, and truth in taste is allied with truth in morality. With nothing in our past history to discourage us, and with something in our present condition and prospects to animate us, let us hope, that, as it is our fortune to live in an age when we may behold a wonderful advancement of the country in all its other great interests, we may see also equal progress and success attend the cause of letters.

Finally, let us not forget the religious character of our origin. Our fathers were brought hither by their high veneration for the Christian religion. They journeyed by its light, and labored in its hope. They sought to incorporate its principles with the elements of their society, and to diffuse its influence through all their institutions, civil, political, or literary. Let us cherish these sentiments, and extend this influence still more widely; in the full conviction, that that is the happiest society which par-

takes in the highest degree of the mild and peaceful spirit of Christianity.

The hours of this day are rapidly flying, and this occasion will soon be passed. Neither we nor our children can expect to behold its return. They are in the distant regions of futurity, they exist only in the all-creating power of God, who shall stand here a hundred years hence, to trace, through us, their descent from the Pilgrims, and to survey, as we have now surveyed, the progress of their country, during the lapse of a century. We would anticipate their concurrence with us in our sentiments of deep regard for our common ancestors. We would anticipate and partake the pleasure with which they will then recount the steps of New England's advancement. On the morning of that day, although it will not disturb us in our repose, the voice of acclamation and gratitude, commencing on the Rock of Plymouth, shall be transmitted through millions of the sons of the Pilgrims, till it lose itself in the murmurs of the Pacific seas.

We would leave for the consideration of those who shall then occupy our places, some proof that we hold the blessings transmitted from our fathers in just estimation; some proof of our attachment to the cause of good government, and of civil and religious liberty; some proof of a sincere and ardent desire to promote every thing which may enlarge the understandings and improve the hearts of men. And when, from the long distance of a hundred years, they shall look back upon us, they shall know, at least, that we possessed affections, which, running backward and warming with gratitude for what our ancestors have done for our happiness, run forward also to our posterity, and meet them with cordial salutation, ere yet they have arrived on the shore of being.

Advance, then, ye future generations! We would hail you, as you rise in your long succession, to fill the places which we now fill, and to taste the blessings of existence where we are passing, and soon shall have passed, our own human duration. We bid you welcome to this pleasant land of the fathers. We bid you welcome to the healthful skies and the verdant fields of New England. We greet your accession to the great inheritance which we have enjoyed. We welcome you to the blessings of good government and religious liberty. We welcome

you to the treasures of science and the delights of learning. We welcome you to the transcendent sweets of domestic life, to the happiness of kindred, and parents, and children. We welcome you to the immeasurable blessings of rational existence, the immortal hope of Christianity, and the light of everlasting truth!

The Embarkation of the Pilgrims at Delft-Haven, Holland

From the Painting by Edgar Parker, after the Picture by Robert W. Weir, in the Rotunda of the Capitol, Washington

A.W. Elson & Co. Boston.

Notes

NOTE A. Page 184.

The allusion in the Discourse is to the large historical painting of the Landing of the Pilgrims at Plymouth, executed by Henry Sargent, Esq., of Boston, and, with great liberality, presented by him to the Pilgrim Society. It appeared in their hall (of which it forms the chief ornament) for the first time at the celebration of 1824. It represents the principal personages of the company at the moment of landing, with the Indian Samoset, who approaches them with a friendly welcome. A very competent judge, himself a distinguished artist, the late venerable Colonel Trumbull, has pronounced that this painting has great merit. An interesting account of it will be found in Dr. Thacher's History of Plymouth, pp. 249 and 257.

An historical painting, by Robert N. Weir, Esq., of the largest size, representing the embarkation of the Pilgrims from Delft-Haven, in Holland, and executed by order of Congress, fills one of the panels of the Rotunda of the Capitol at Washington. The moment chosen by the artist for the action of the picture is that in which the venerable pastor Robinson, with tears, and benedictions, and prayers to Heaven, dismisses the beloved members of his little flock to the perils and the hopes of their great enterprise. The characters of the personages introduced are indicated with discrimination and power, and the accessories of the work marked with much taste and skill. It is a painting of distinguished historical interest and of great artistic merit.

The "Landing of the Pilgrims" has also been made the subject of a very interesting painting by Mr. Flagg, intended to represent the deep religious feeling which so strikingly characterized the first settlers of New England. With this object in view, the central figure is that of Elder Brewster. It is a picture of cabinet size, and is in possession of a gentleman of New Haven, descended from Elder Brewster, and of that name.

NOTE B. Page 214.

As the opinion of contemporaneous thinkers on this important subject cannot fail to interest the general reader, it is deemed proper to insert

here the following extract from a letter, written in 1849, to show how powerfully the truths uttered in 1820, in the spirit of prophecy, as it were, impressed themselves upon certain minds, and how closely the verification of the prediction has been watched.

"I do not remember any political prophecy, founded on the spirit of a wide and far-reaching statesmanship, that has been so remarkably fulfilled as the one made by Mr. Webster, in his Discourse delivered at Plymouth in 1820, on the effect which the laws of succession to property in France, then in operation, would be likely to produce on the forms and working of the French government. But to understand what he said, and what he foresaw, I must explain a little what had been the course of legislation in France on which his predictions were founded.

"Before the Revolution of 1789, there had been a great accumulation of the landed property of the country, and, indeed, of all its property, — by means of laws of entail, *majorats*, and other legal contrivances, — in the hands of the privileged classes; chiefly in those of the nobility and the clergy. The injury and injustice done by long continued legislation in this direction were obviously great; and it was not, perhaps, unnatural, that the opposite course to that which had brought on the mischief should be deemed the best one to cure it. At any rate, such was the course taken.

"In 1791 a law was passed, preventing any man from having any interest beyond the period of his own life in any of his property, real, personal, or mixed, and distributing all his possessions for him, immediately after his death, among his children, in equal shares, or if he left no children, then among his next of kin, on the same principle. This law, with a slight modification, made under the influence of Robespierre, was in force till 1800. But the period was entirely revolutionary, and probably quite as much property changed hands from violence and the consequences of violence, during the nine years it continued, as was transmitted by the laws that directly controlled its succession.

"With the coming in of Bonaparte, however, there was established a new order of things, which has continued, with little modification, ever since, and has had its full share in working out the great changes in French society which we now witness. A few experiments were first made, and then the great Civil Code, often called the *Code Napoleon*, was adopted. This was in 1804. By this remarkable code, which is still in force, a man, if he has but one child, can give away by his last will, as he pleases, half of his property, — the law insuring the other half to the child; if he has two children, then he can so give away only one third, — the law requiring the other two thirds to be given equally to the two children; if three, then only one fourth under similar conditions; but

if he has a greater number, it restricts the rights of the parent more and more, and makes it more and more difficult for him to distribute his property according to his own judgment; the restrictions embarrassing him even in his lifetime.

"The consequences of such laws are, from their nature, very slowly developed. When Mr. Webster spoke in 1820, the French code had been in operation sixteen years, and similar principles had prevailed for nearly a generation. But still its wide results were not even suspected. Those who had treated the subject at all supposed that the tendency was to break up the great estates in France, and make the larger number of the holders of small estates more accessible to the influence of the government, then a limited monarchy, and so render it stronger and more despotic.

"Mr. Webster held a different opinion. He said, 'In respect, however, to the recent law of succession in France, to which I have alluded, *I would, presumptuously perhaps, hazard a conjecture, that, if the government do not change the law, the law in half a century will change the government; and that this change will be, not in favor of the power of the crown, as some European writers have supposed, but against it.* Those writers only reason upon what they think correct general principles, in relation to this subject. They acknowledge a want of experience, Here we have had that experience; and we know that a multitude of small proprietors, acting with intelligence, and that enthusiasm which a common cause inspires, constitute not only a formidable, but an invincible power.'

"In less than six years after Mr. Webster uttered this remarkable prediction, the king of France himself, at the opening of the Legislative Chambers, thus strangely echoed it: — 'Legislation ought to provide, by successive improvements, for all the wants of society. The progressive partitioning of landed estates, essentially contrary to the spirit of a monarchical government, would enfeeble the guaranties which the charter has given to my throne and to my subjects. Measures will be proposed to you, gentlemen, to establish the consistency which ought to exist between the political law and the civil law, and to preserve the patrimony of families, without restricting the liberty of disposing of one's property. The preservation of families is connected with, and affords a guaranty to, political stability, which is the first want of states, and which is especially that of France, after so many vicissitudes.'

"Still, the results to which such subdivision and comminution of property tended were not foreseen even in France. The Revolution of 1830 came, and revealed a part of them; for that revolution was made by the influence of men possessing very moderate estates, who believed that the guaranties of a government like that of the elder branch of the Bourbons

were not sufficient for their safety. But when the revolution was made, and the younger branch of the Bourbons reigned instead of the elder, the laws for the descent of property continued to be the same, and the subdivision went on as if it were an admitted benefit to society.

"In consequence of this, in 1844 it was found that there were in France at least five millions and a half of families, or about twenty-seven millions of souls, who were proprietary families, and that of these about four millions of families had each less than nine English acres to the family on the average. Of course, a vast majority of these twenty-seven millions of persons, though they might be interested in some small portion of the soil, were really poor, and multitudes of them were dependent.

"Now, therefore, the results began to appear in a practical form. One third of all the rental of France was discovered to be absolutely mortgaged, and another third was swallowed up by other encumbrances, leaving but one third free for the use and benefit of its owners. In other words, a great proportion of the people of France were embarrassed and poor, and a great proportion of the remainder were fast becoming so.

"Such a state of things produced, of course, a wide-spread social uneasiness. Part of this uneasiness was directed against the existing government; another and more formidable portion was directed against *all* government, and against the very institution of property. The convulsion of 1848 followed; France is still unsettled; and Mr. Webster's prophecy seems still to be in the course of a portentous fulfilment."

In the London Quarterly Review for 1846 there is an interesting discussion on so much of the matter as relates to the subdivision of real estate for agricultural purposes in France, as far as it had then advanced, and from which many of the facts here alluded to are taken.

The Bunker Hill Monument

Introductory Note

As early as 1776, some steps were taken toward the commemoration of the battle of Bunker Hill and the fall of General Warren, who was buried upon the hill the day after the action. The Massachusetts Lodge of Masons, over which he presided, applied to the provisional government of Massachusetts, for permission to take up his remains and to bury them with the usual solemnities. The council granted this request, on condition that it should be carried into effect in such a manner that the government of *the Colony* might have an opportunity to erect a monument to his memory. A funeral procession was had, and a Eulogy on General Warren was delivered by Perez Morton, but no measures were taken toward building a monument.

A resolution was adopted by the Congress of the United States on the 8th of April, 1777, directing that monuments should be erected to the memory of General Warren, in Boston, and of General Mercer, at Fredericksburg; but this resolution has remained to the present time unexecuted.

On the 11th of November, 1794, a committee was appointed by King Solomon's Lodge, at Charlestown,* to take measures for the erection of a monument to the memory of General Joseph Warren at the expense of the Lodge. This resolution was promptly carried into effect. The land for this purpose was presented to the Lodge by the Hon. James Russell, of Charlestown, and it was dedicated with appropriate ceremonies on the 2d of December, 1794. It was a wooden pillar of the Tuscan order, eighteen feet in height, raised on a pedestal eight feet square, and of an elevation of ten feet from the ground. The pillar was surmounted by a gilt urn. An appropriate inscription was placed on the south side of the pedestal.

In February, 1818, a committee of the Legislature of Massachusetts was appointed to consider the expediency of building a monument of American marble to the memory of General Warren, but this proposal was not carried into effect.

As the half-century from the date of the battle drew toward a close, a stronger feeling of the duty of commemorating it began to be awakened in the community. Among those who from the first manifested the

* General Warren, at the time of his decease, was Grand Master of the Masonic Lodges in America.

greatest interest in the subject, was the late William Tudor, Esq. He expressed the wish, in a letter still preserved, to see upon the battle-ground "the noblest monument in the world," and he was so ardent and persevering in urging the project, that it has been stated that he first conceived the idea of it. The steps taken in execution of the project, from the earliest private conferences among the gentlemen first engaged in it to its final completion, are accurately sketched by Mr. Richard Frothingham, Jr., in his valuable History of the Siege of Boston. All the material facts contained in this note are derived from his chapter on the Bunker Hill Monument. After giving an account of the organization of the society, the measures adopted for the collection of funds, and the deliberations on the form of the monument, Mr. Frothingham proceeds as follows: —

"It was at this stage of the enterprise that the directors proposed to lay the corner-stone of the monument, and ground was broken (June 7th) for this purpose. As a mark of respect to the liberality and patriotism of King Solomon's Lodge, they invited the Grand Master of the Grand Lodge of Massachusetts to perform the ceremony. They also invited General Lafayette to accompany the President of the Association, Hon. Daniel Webster, and assist in it.

"This celebration was unequalled in magnificence by any thing of the kind that had been seen in New England. The morning proved propitious. The air was cool, the sky was clear, and timely showers the previous day had brightened the vesture of nature into its loveliest hue. Delighted thousands flocked into Boston to bear a part in the proceedings, or to witness the spectacle. At about ten o'clock a procession moved from the State House towards Bunker Hill. The military, in their fine uniforms, formed the van. About two hundred veterans of the Revolution, of whom forty were survivors of the battle, rode in barouches next to the escort. These venerable men, the relics of a past generation, with emaciated frames, tottering limbs, and trembling voices, constituted a touching spectacle. Some wore, as honorable decorations, their old fighting equipments, and some bore the scars of still more honorable wounds. Glistening eyes constituted their answer to the enthusiastic cheers of the grateful multitudes who lined their pathway and cheered their progress. To this patriot band succeeded the Bunker Hill Monument Association. Then the Masonic fraternity, in their splendid regalia, thousands in number. Then Lafayette, continually welcomed by tokens of love and gratitude, and the invited guests. Then a long array of societies, with their various badges and banners. It was a splendid procession, and of such length that the front nearly reached Charlestown Bridge ere the rear had left Boston Common. It proceeded to Breed's Hill, where the Grand Master of the Freemasons, the President of the Monument Association, and General Lafayette, performed the ceremony of laying the corner-stone, in the presence of a vast concourse of people."

The procession then moved to a spacious amphitheatre on the northern declivity of the hill, when the following address was delivered by Mr. Webster, in the presence of as great a multitude as was ever perhaps assembled within the sound of a human voice.

The Bunker Hill Monument*

This uncounted multitude before me and around me proves the feeling which the occasion has excited. These thousands of human faces, glowing with sympathy and joy, and from the impulses of a common gratitude turned reverently to heaven in this spacious temple of the firmament, proclaim that the day, the place, and the purpose of our assembling have made a deep impression on our hearts.

If, indeed, there be any thing in local association fit to affect the mind of man, we need not strive to repress the emotions which agitate us here. We are among the sepulchres of our fathers. We are on ground, distinguished by their valor, their constancy, and the shedding of their blood. We are here, not to fix an uncertain date in our annals, nor to draw into notice an obscure and unknown spot. If our humble purpose had never been conceived, if we ourselves had never been born, the 17th of June, 1775, would have been a day on which all subsequent history would have poured its light, and the eminence where we stand a point of attraction to the eyes of successive generations. But we are Americans. We live in what may be called the early age of this great continent; and we know that our posterity, through all time, are here to enjoy and suffer the allotments of humanity. We see before us a probable train of great events; we know that our own fortunes have been happily cast; and it is natural, therefore, that we should be moved by the contemplation of occurrences which have guided our destiny before many of us were born, and settled the condition in which we should pass that portion of our existence which God allows to men on earth.

* An Address delivered at the Laying of the Corner-stone of the Bunker Hill Monument at Charlestown, Massachusetts, on the 17th of June, 1825.

We do not read even of the discovery of this continent, without feeling something of a personal interest in the event; without being reminded how much it has affected our own fortunes and our own existence. It would be still more unnatural for us, therefore, than for others, to contemplate with unaffected minds that interesting, I may say that most touching and pathetic scene, when the great discoverer of America stood on the deck of his shattered bark, the shades of night falling on the sea, yet no man sleeping; tossed on the billows of an unknown ocean, yet the stronger billows of alternate hope and despair tossing his own troubled thoughts; extending forward his harassed frame, straining westward his anxious and eager eyes, till Heaven at last granted him a moment of rapture and ecstasy, in blessing his vision with the sight of the unknown world.

Nearer to our times, more closely connected with our fates, and therefore still more interesting to our feelings and affections, is the settlement of our own country by colonists from England. We cherish every memorial of these worthy ancestors; we celebrate their patience and fortitude; we admire their daring enterprise; we teach our children to venerate their piety; and we are justly proud of being descended from men who have set the world an example of founding civil institutions on the great and united principles of human freedom and human knowledge. To us, their children, the story of their labors and sufferings can never be without its interest. We shall not stand unmoved on the shore of Plymouth, while the sea continues to wash it; nor will our brethren in another early and ancient Colony forget the place of its first establishment, till their river shall cease to flow by it.* No vigor of youth, no maturity of manhood, will lead the nation to forget the spots where its infancy was cradled and defended.

But the great event in the history of the continent, which we are now met here to commemorate, that prodigy of modern

* An interesting account of the voyage of the early emigrants to the Maryland Colony, and of its settlement is given in the official report of Father White, written probably within the first month after the landing at St. Mary's. The original Latin manuscript is still preserved among the archives of the Jesuits, at Rome. The "Ark" and the "Dove" are remembered with scarcely less interest by the descendants of the sister Colony, than is the "Mayflower" in New England, which, thirteen years earlier, at the same season of the year, bore thither the Pilgrim Fathers.

times, at once the wonder and the blessing of the world, is the American Revolution. In a day of extraordinary prosperity and happiness, of high national honor, distinction, and power, we are brought together, in this place, by our love of country, by our admiration of exalted character, by our gratitude for signal services and patriotic devotion.

The Society whose organ I am* was formed for the purpose of rearing some honorable and durable monument to the memory of the early friends of American Independence. They have thought, that for this object no time could be more propitious than the present prosperous and peaceful period; that no place could claim preference over this memorable spot; and that no day could be more auspicious to the undertaking, than the anniversary of the battle which was here fought. The foundation of that monument we have now laid. With solemnities suited to the occasion, with prayers to Almighty God for his blessing and in the midst of this cloud of witnesses, we have begun the work. We trust it will be prosecuted, and that, springing from a broad foundation, rising high in massive solidity and unadorned grandeur, it may remain as long as Heaven permits the works of man to last, a fit emblem, both of the events in memory of which it is raised, and of the gratitude of those who have reared it.

We know, indeed, that the record of illustrious actions is most safely deposited in the universal remembrance of mankind. We know, that if we could cause this structure to ascend, not only till it reached the skies, but till it pierced them, its broad surfaces could still contain but part of that which, in an age of knowledge, hath already been spread over the earth, and which history charges itself with making known to all future times. We know that no inscription on entablatures less broad than the earth itself can carry information of the events we commemorate where it has not already gone; and that no structure, which shall not outlive the duration of letters and knowledge among men, can prolong the memorial. But our object is, by this edifice, to show our own deep sense of the value and importance of the achievements of our ancestors; and, by present-

* Mr. Webster was at this time President of the Bunker Hill Monument Association, chosen on the decease of Governor John Brooks, the first President.

ing this work of gratitude to the eye, to keep alive similar sentiments, and to foster a constant regard for the principles of the Revolution. Human beings are composed, not of reason only, but of imagination also, and sentiment; and that is neither wasted nor misapplied which is appropriated to the purpose of giving right direction to sentiments, and opening proper springs of feeling in the heart. Let it not be supposed that our object is to perpetuate national hostility, or even to cherish a mere military spirit. It is higher, purer, nobler. We consecrate our work to the spirit of national independence, and we wish that the light of peace may rest upon it for ever. We rear a memorial of our conviction of that unmeasured benefit which has been conferred on our own land, and of the happy influences which have been produced, by the same events, on the general interests of mankind. We come, as Americans, to mark a spot which must for ever be dear to us and our posterity. We wish that whosoever, in all coming time, shall turn his eye hither, may behold that the place is not undistinguished where the first great battle of the Revolution was fought. We wish that this structure may proclaim the magnitude and importance of that event to every class and every age. We wish that infancy may learn the purpose of its erection from maternal lips, and that weary and withered age may behold it, and be solaced by the recollections which it suggests. We wish that labor may look up here, and be proud, in the midst of its toil. We wish that, in those days of disaster, which, as they come upon all nations, must be expected to come upon us also, desponding patriotism may turn its eyes hitherward, and be assured that the foundations of our national power are still strong. We wish that this column, rising towards heaven among the pointed spires of so many temples dedicated to God, may contribute also to produce, in all minds, a pious feeling of dependence and gratitude. We wish, finally, that the last object to the sight of him who leaves his native shore, and the first to gladden his who revisits it, may be something which shall remind him of the liberty and the glory of his country. Let it rise! let it rise, till it meet the sun in his coming; let the earliest light of the morning gild it, and parting day linger and play on its summit.

We live in a most extraordinary age. Events so various and

so important that they might crowd and distinguish centuries, are, in our times, compressed within the compass of a single life. When has it happened that history has had so much to record, in the same term of years, as since the 17th of June, 1775? Our own Revolution, which, under other circumstances, might itself have been expected to occasion a war of half a century, has been achieved; twenty-four sovereign and independent States erected; and a general government established over them, so safe, so wise, so free, so practical, that we might well wonder its establishment should have been accomplished so soon, were it not far the greater wonder that it should have been established at all. Two or three millions of people have been augmented to twelve, the great forests of the West prostrated beneath the arm of successful industry, and the dwellers on the banks of the Ohio and the Mississippi become the fellow-citizens and neighbors of those who cultivate the hills of New England.* We have a commerce, that leaves no sea unexplored; navies, which take no law from superior force; revenues, adequate to all the exigencies of government, almost without taxation; and peace with all nations, founded on equal rights and mutual respect.

Europe, within the same period, has been agitated by a mighty revolution, which, while it has been felt in the individual condition and happiness of almost every man, has shaken to the centre her political fabric, and dashed against one another thrones which had stood tranquil for ages. On this, our continent, our own example has been followed, and colonies have sprung up to be nations. Unaccustomed sounds of liberty and free government have reached us from beyond the track of the sun; and at this moment the dominion of European power in this continent, from the place where we stand to the south pole, is annihilated for ever.†

In the mean time, both in Europe and America, such has been the general progress of knowledge, such the improvement in

* That which was spoken of figuratively in 1825 has, in the lapse of a quarter of a century, by the introduction of railroads and telegraphic lines, become a reality. It is an interesting circumstance, that the first railroad on the Western Continent was constructed for the purpose of accelerating the erection of this monument.

† See President Monroe's Message to Congress in 1823, and Mr. Webster's speech on the Panama mission, in 1826.

legislation, in commerce, in the arts, in letters, and, above all, in liberal ideas and the general spirit of the age, that the whole world seems changed.

Yet, notwithstanding that this is but a faint abstract of the things which have happened since the day of the battle of Bunker Hill, we are but fifty years removed from it; and we now stand here to enjoy all the blessings of our own condition, and to look abroad on the brightened prospects of the world, while we still have among us some of those who were active agents in the scenes of 1775, and who are now here, from every quarter of New England, to visit once more, and under circumstances so affecting, I had almost said so overwhelming, this renowned theatre of their courage and patriotism.

Venerable men! you have come down to us from a former generation. Heaven has bounteously lengthened out your lives, that you might behold this joyous day. You are now where you stood fifty years ago, this very hour, with your brothers and your neighbors, shoulder to shoulder, in the strife for your country. Behold, how altered! The same heavens are indeed over your heads; the same ocean rolls at your feet; but all else how changed! You hear now no roar of hostile cannon, you see no mixed volumes of smoke and flame rising from burning Charlestown. The ground strowed with the dead and the dying; the impetuous charge; the steady and successful repulse; the loud call to repeated assault; the summoning of all that is manly to repeated resistance; a thousand bosoms freely and fearlessly bared in an instant to whatever of terror there may be in war and death;—all these you have witnessed, but you witness them no more. All is peace. The heights of yonder metropolis, its towers and roofs, which you then saw filled with wives and children and countrymen in distress and terror, and looking with unutterable emotions for the issue of the combat, have presented you to-day with the sight of its whole happy population, come out to welcome and greet you with a universal jubilee. Yonder proud ships, by a felicity of position appropriately lying at the foot of this mount, and seeming fondly to cling around it, are not means of annoyance to you, but your country's own means of distinction and defence.* All is peace; and God has

* It is necessary to inform those only who are unacquainted with the locali-

granted you this sight of your country's happiness, ere you slumber in the grave. He has allowed you to behold and to partake the reward of your patriotic toils; and he has allowed us, your sons and countrymen, to meet you here, and in the name of the present generation, in the name of your country, in the name of liberty, to thank you!

But, alas! you are not all here! Time and the sword have thinned your ranks. Prescott, Putnam, Stark, Brooks, Read, Pomeroy, Bridge! our eyes seek for you in vain amid this broken band. You are gathered to your fathers, and live only to your country in her grateful remembrance and your own bright example. But let us not too much grieve, that you have met the common fate of men. You lived at least long enough to know that your work had been nobly and successfully accomplished. You lived to see your country's independence established, and to sheathe your swords from war. On the light of Liberty you saw arise the light of Peace, like

> "another morn,
> Risen on mid-noon";

and the sky on which you closed your eyes was cloudless.

But ah! Him! the first great martyr in this great cause! Him! the premature victim of his own self-devoting heart! Him! the head of our civil councils, and the destined leader of our military bands, whom nothing brought hither but the unquenchable fire of his own spirit! Him! cut off by Providence in the hour of overwhelming anxiety and thick gloom; falling ere he saw the star of his country rise; pouring out his generous blood like water, before he knew whether it would fertilize a land of freedom or of bondage! — how shall I struggle with the emotions that stifle the utterance of thy name!* Our poor work may perish; but thine shall endure! This monument may moulder away; the solid ground it rests upon may sink down to a level with the sea; but thy memory shall not fail! Wheresoever among men a heart shall be found that beats to the transports of patriotism and liberty, its aspirations shall be to claim kindred with thy spirit!

ties, that the United States Navy Yard at Charlestown is situated at the base of Bunker Hill.

* See the North American Review, Vol. XLI. p. 242.

But the scene amidst which we stand does not permit us to confine our thoughts or our sympathies to those fearless spirits who hazarded or lost their lives on this consecrated spot. We have the happiness to rejoice here in the presence of a most worthy representation of the survivors of the whole Revolutionary army.

VETERANS! you are the remnant of many a well-fought field. You bring with you marks of honor from Trenton and Monmouth, from Yorktown, Camden, Bennington, and Saratoga. VETERANS OF HALF A CENTURY! when in your youthful days you put every thing at hazard in your country's cause, good as that cause was, and sanguine as youth is, still your fondest hopes did not stretch onward to an hour like this! At a period to which you could not reasonably have expected to arrive, at a moment of national prosperity such as you could never have foreseen, you are now met here to enjoy the fellowship of old soldiers, and to receive the overflowings of a universal gratitude.

But your agitated countenances and your heaving breasts inform me that even this is not an unmixed joy. I perceive that a tumult of contending feelings rushes upon you. The images of the dead, as well as the persons of the living, present themselves before you. The scene overwhelms you, and I turn from it. May the Father of all mercies smile upon your declining years, and bless them! And when you shall here have exchanged your embraces, when you shall once more have pressed the hands which have been so often extended to give succor in adversity, or grasped in the exultation of victory, then look abroad upon this lovely land which your young valor defended, and mark the happiness with which it is filled; yea, look abroad upon the whole earth, and see what a name you have contributed to give to your country, and what a praise you have added to freedom, and then rejoice in the sympathy and gratitude which beam upon your last days from the improved condition of mankind!

The occasion does not require of me any particular account of the battle of the 17th of June, 1775, nor any detailed narrative of the events which immediately preceded it. These are familiarly known to all. In the progress of the great and interesting controversy, Massachusetts and the town of Boston had become

The Battle of Bunker Hill

From the Painting by John Trumbull, Yale School of Fine Arts, New Haven

early and marked objects of the displeasure of the British Parliament. This had been manifested in the act for altering the government of the Province, and in that for shutting up the port of Boston. Nothing sheds more honor on our early history, and nothing better shows how little the feelings and sentiments of the Colonies were known or regarded in England, than the impression which these measures everywhere produced in America. It had been anticipated, that while the Colonies in general would be terrified by the severity of the punishment inflicted on Massachusetts, the other seaports would be governed by a mere spirit of gain; and that, as Boston was now cut off from all commerce, the unexpected advantage which this blow on her was calculated to confer on other towns would be greedily enjoyed. How miserably such reasoners deceived themselves! How little they knew of the depth, and the strength, and the intenseness of that feeling of resistance to illegal acts of power, which possessed the whole American people! Everywhere the unworthy boon was rejected with scorn. The fortunate occasion was seized, everywhere, to show to the whole world that the Colonies were swayed by no local interest, no partial interest, no selfish interest. The temptation to profit by the punishment of Boston was strongest to our neighbors of Salem. Yet Salem was precisely the place where this miserable proffer was spurned, in a tone of the most lofty self-respect and the most indignant patriotism. "We are deeply affected," said its inhabitants, "with the sense of our public calamities; but the miseries that are now rapidly hastening on our brethren in the capital of the Province greatly excite our commiseration. By shutting up the port of Boston, some imagine that the course of trade might be turned hither and to our benefit; but we must be dead to every idea of justice, lost to all feelings of humanity, could we indulge a thought to seize on wealth and raise our fortunes on the ruin of our suffering neighbors." These noble sentiments were not confined to our immediate vicinity. In that day of general affection and brotherhood, the blow given to Boston smote on every patriotic heart from one end of the country to the other. Virginia and the Carolinas, as well as Connecticut and New Hampshire, felt and proclaimed the cause to be their own. The Continental Congress, then holding its first session in Philadelphia, expressed its sympathy

for the suffering inhabitants of Boston, and addresses were received from all quarters, assuring them that the cause was a common one, and should be met by common efforts and common sacrifices. The Congress of Massachusetts responded to these assurances; and in an address to the Congress at Philadelphia, bearing the official signature, perhaps among the last, of the immortal Warren, notwithstanding the severity of its suffering and the magnitude of the dangers which threatened it, it was declared, that this Colony "is ready, at all times, to spend and to be spent in the cause of America."

But the hour drew nigh which was to put professions to the proof, and to determine whether the authors of these mutual pledges were ready to seal them in blood. The tidings of Lexington and Concord had no sooner spread, than it was universally felt that the time was at last come for action. A spirit pervaded all ranks, not transient, not boisterous, but deep, solemn, determined,

"totamque infusa per artus
Mens agitat molem, et magno se corpore miscet."

War, on their own soil and at their own doors, was, indeed, a strange work to the yeomanry of New England; but their consciences were convinced of its necessity, their country called them to it, and they did not withhold themselves from the perilous trial. The ordinary occupations of life were abandoned; the plough was staid in the unfinished furrow; wives gave up their husbands, and mothers gave up their sons, to the battles of a civil war. Death might come, in honor, on the field; it might come, in disgrace, on the scaffold. For either and for both they were prepared. The sentiment of Quincy was full in their hearts. "Blandishments," said that distinguished son of genius and patriotism, "will not fascinate us, nor will threats of a halter intimidate; for, under God, we are determined that, wheresoever, whensoever, or howsoever we shall be called to make our exit, we will die free men."

The 17th of June saw the four New England Colonies standing here, side by side, to triumph or to fall together; and there was with them from that moment to the end of the war, what I hope will remain with them for ever, one cause, one country, one heart.

The battle of Bunker Hill was attended with the most im-

portant effects beyond its immediate results as a military engagement. It created at once a state of open, public war. There could now be no longer a question of proceeding against individuals, as guilty of treason or rebellion. That fearful crisis was past. The appeal lay to the sword, and the only question was, whether the spirit and the resources of the people would hold out, till the object should be accomplished. Nor were its general consequences confined to our own country. The previous proceedings of the Colonies, their appeals, resolutions, and addresses, had made their cause known to Europe. Without boasting, we may say, that in no age or country has the public cause been maintained with more force of argument, more power of illustration, or more of that persuasion which excited feeling and elevated principle can alone bestow, than the Revolutionary state papers exhibit. These papers will for ever deserve to be studied, not only for the spirit which they breathe, but for the ability with which they were written.

To this able vindication of their cause, the Colonies had now added a practical and severe proof of their own true devotion to it, and given evidence also of the power which they could bring to its support. All now saw, that if America fell, she would not fall without a struggle. Men felt sympathy and regard, as well as surprise, when they beheld these infant states, remote, unknown, unaided, encounter the power of England, and, in the first considerable battle, leave more of their enemies dead on the field, in proportion to the number of combatants, than had been recently known to fall in the wars of Europe.

Information of these events, circulating throughout the world, at length reached the ears of one who now hears me.* He has not forgotten the emotion which the fame of Bunker Hill, and the name of Warren, excited in his youthful breast.

Sir, we are assembled to commemorate the establishment of great public principles of liberty, and to do honor to the distinguished dead. The occasion is too severe for eulogy of the living. But, Sir, your interesting relation to this country, the

* Among the earliest of the arrangements for the celebration of the 17th of June, 1825, was the invitation to General Lafayette to be present; and he had so timed his progress through the other States as to return to Massachusetts in season for the great occasion.

peculiar circumstances which surround you and surround us, call on me to express the happiness which we derive from your presence and aid in this solemn commemoration.

Fortunate, fortunate man! with what measure of devotion will you not thank God for the circumstances of your extraordinary life! You are connected with both hemispheres and with two generations. Heaven saw fit to ordain, that the electric spark of liberty should be conducted, through you, from the New World to the Old; and we, who are now here to perform this duty of patriotism, have all of us long ago received it in charge from our fathers to cherish your name and your virtues. You will account it an instance of your good fortune, Sir, that you crossed the seas to visit us at a time which enables you to be present at this solemnity. You now behold the field, the renown of which reached you in the heart of France, and caused a thrill in your ardent bosom. You see the lines of the little redoubt thrown up by the incredible diligence of Prescott; defended, to the last extremity, by his lion-hearted valor; and within which the corner-stone of our monument has now taken its position. You see where Warren fell, and where Parker, Gardner, McCleary, Moore, and other early patriots, fell with him. Those who survived that day, and whose lives have been prolonged to the present hour, are now around you. Some of them you have known in the trying scenes of the war. Behold! they now stretch forth their feeble arms to embrace you. Behold! they raise their trembling voices to invoke the blessing of God on you and yours for ever.

Sir, you have assisted us in laying the foundation of this structure. You have heard us rehearse, with our feeble commendation, the names of departed patriots. Monuments and eulogy belong to the dead. We give them this day to Warren and his associates. On other occasions they have been given to your more immediate companions in arms, to Washington, to Greene, to Gates, to Sullivan, and to Lincoln. We have become reluctant to grant these, our highest and last honors, further. We would gladly hold them yet back from the little remnant of that immortal band. *Serus in cœlum redeas.* Illustrious as are your merits, yet far, O, very far distant be the day, when any inscription shall bear your name, or any tongue pronounce its eulogy!

The leading reflection to which this occasion seems to invite us, respects the great changes which have happened in the fifty years since the battle of Bunker Hill was fought. And it peculiarly marks the character of the present age, that, in looking at these changes, and in estimating their effect on our condition, we are obliged to consider, not what has been done in our own country only, but in others also. In these interesting times, while nations are making separate and individual advances in improvement, they make, too, a common progress; like vessels on a common tide, propelled by the gales at different rates, according to their several structure and management, but all moved forward by one mighty current, strong enough to bear onward whatever does not sink beneath it.

A chief distinction of the present day is a community of opinions and knowledge amongst men in different nations, existing in a degree heretofore unknown. Knowledge has, in our time, triumphed, and is triumphing, over distance, over difference of languages, over diversity of habits, over prejudice, and over bigotry. The civilized and Christian world is fast learning the great lesson, that difference of nation does not imply necessary hostility, and that all contact need not be war. The whole world is becoming a common field for intellect to act in. Energy of mind, genius, power, wheresoever it exists, may speak out in any tongue, and the *world* will hear it. A great chord of sentiment and feeling runs through two continents, and vibrates over both. Every breeze wafts intelligence from country to country; every wave rolls it; all give it forth, and all in turn receive it. There is a vast commerce of ideas; there are marts and exchanges for intellectual discoveries, and a wonderful fellowship of those individual intelligences which make up the mind and opinion of the age. Mind is the great lever of all things; human thought is the process by which human ends are ultimately answered; and the diffusion of knowledge, so astonishing in the last half-century, has rendered innumerable minds, variously gifted by nature, competent to be competitors or fellow-workers on the theatre of intellectual operation.

From these causes important improvements have taken place in the personal condition of individuals. Generally speaking, mankind are not only better fed and better clothed, but they are able also to enjoy more leisure; they possess more refine-

ment and more self-respect. A superior tone of education, manners, and habits prevails. This remark, most true in its application to our own country, is also partly true when applied elsewhere. It is proved by the vastly augmented consumption of those articles of manufacture and of commerce which contribute to the comforts and the decencies of life; an augmentation which has far outrun the progress of population. And while the unexampled and almost incredible use of machinery would seem to supply the place of labor, labor still finds its occupation and its reward; so wisely has Providence adjusted men's wants and desires to their condition and their capacity.

Any adequate survey, however, of the progress made during the last half-century in the polite and the mechanic arts, in machinery and manufactures, in commerce and agriculture, in letters and in science, would require volumes. I must abstain wholly from these subjects, and turn for a moment to the contemplation of what has been done on the great question of politics and government. This is the master topic of the age; and during the whole fifty years it has intensely occupied the thoughts of men. The nature of civil government, its ends and uses, have been canvassed and investigated; ancient opinions attacked and defended; new ideas recommended and resisted, by whatever power the mind of man could bring to the controversy. From the closet and the public halls the debate has been transferred to the field; and the world has been shaken by wars of unexampled magnitude, and the greatest variety of fortune. A day of peace has at length succeeded; and now that the strife has subsided, and the smoke cleared away, we may begin to see what has actually been done, permanently changing the state and condition of human society. And, without dwelling on particular circumstances, it is most apparent, that, from the before-mentioned causes of augmented knowledge and improved individual condition, a real, substantial, and important change has taken place, and is taking place, highly favorable, on the whole, to human liberty and human happiness.

The great wheel of political revolution began to move in America. Here its rotation was guarded, regular, and safe. Transferred to the other continent, from unfortunate but natural causes, it received an irregular and violent impulse; it whirled along with a fearful celerity; till at length, like the chariot-wheels

in the races of antiquity, it took fire from the rapidity of its own motion, and blazed onward, spreading conflagration and terror around.

We learn from the result of this experiment, how fortunate was our own condition, and how admirably the character of our people was calculated for setting the great example of popular governments. The possession of power did not turn the heads of the American people, for they had long been in the habit of exercising a great degree of self-control. Although the paramount authority of the parent state existed over them, yet a large field of legislation had always been open to our Colonial assemblies. They were accustomed to representative bodies and the forms of free government; they understood the doctrine of the division of power among different branches, and the necessity of checks on each. The character of our countrymen, moreover, was sober, moral, and religious; and there was little in the change to shock their feelings of justice and humanity, or even to disturb an honest prejudice. We had no domestic throne to overturn, no privileged orders to cast down, no violent changes of property to encounter. In the American Revolution, no man sought or wished for more than to defend and enjoy his own. None hoped for plunder or for spoil. Rapacity was unknown to it; the axe was not among the instruments of its accomplishment; and we all know that it could not have lived a single day under any well-founded imputation of possessing a tendency adverse to the Christian religion.

It need not surprise us, that, under circumstances less auspicious, political revolutions elsewhere, even when well intended, have terminated differently. It is, indeed, a great achievement, it is the master-work of the world, to establish governments entirely popular on lasting foundations; nor is it easy, indeed, to introduce the popular principle at all into governments to which it has been altogether a stranger. It cannot be doubted, however, that Europe has come out of the contest, in which she has been so long engaged, with greatly superior knowledge, and, in many respects, in a highly improved condition. Whatever benefit has been acquired is likely to be retained, for it consists mainly in the acquisition of more enlightened ideas. And although kingdoms and provinces may be wrested from the hands that hold them, in the same manner they were obtained; al-

though ordinary and vulgar power may, in human affairs, be lost as it has been won; yet it is the glorious prerogative of the empire of knowledge, that what it gains it never loses. On the contrary, it increases by the multiple of its own power; all its ends become means; all its attainments, helps to new conquests. Its whole abundant harvest is but so much seed wheat, and nothing has limited, and nothing can limit, the amount of ultimate product.

Under the influence of this rapidly increasing knowledge, the people have begun, in all forms of government, to think, and to reason, on affairs of state. Regarding government as an institution for the public good, they demand a knowledge of its operations, and a participation in its exercise. A call for the representative system, wherever it is not enjoyed, and where there is already intelligence enough to estimate its value, is perseveringly made. Where men may speak out, they demand it; where the bayonet is at their throats, they pray for it.

When Louis the Fourteenth said, "I am the state," he expressed the essence of the doctrine of unlimited power. By the rules of that system, the people are disconnected from the state; they are its subjects; it is their lord. These ideas, founded in the love of power, and long supported by the excess and the abuse of it, are yielding, in our age, to other opinions; and the civilized world seems at last to be proceeding to the conviction of that fundamental and manifest truth, that the powers of government are but a trust, and that they cannot be lawfully exercised but for the good of the community. As knowledge is more and more extended, this conviction becomes more and more general. Knowledge, in truth, is the great sun in the firmament. Life and power are scattered with all its beams. The prayer of the Grecian champion, when enveloped in unnatural clouds and darkness, is the appropriate political supplication for the people of every country not yet blessed with free institutions: —

> "Dispel this cloud, the light of heaven restore,
> Give me to see, — and Ajax asks no more."

We may hope that the growing influence of enlightened sentiment will promote the permanent peace of the world. Wars to maintain family alliances, to uphold or to cast down dynasties, and to regulate successions to thrones, which have

occupied so much room in the history of modern times, if not less likely to happen at all, will be less likely to become general and involve many nations, as the great principle shall be more and more established, that the interest of the world is peace, and its first great statute, that every nation possesses the power of establishing a government for itself. But public opinion has attained also an influence over governments which do not admit the popular principle into their organization. A necessary respect for the judgment of the world operates, in some measure, as a control over the most unlimited forms of authority. It is owing, perhaps, to this truth, that the interesting struggle of the Greeks has been suffered to go on so long, without a direct interference, either to wrest that country from its present masters, or to execute the system of pacification by force, and, with united strength, lay the neck of Christian and civilized Greek at the foot of the barbarian Turk. Let us thank God that we live in an age when something has influence besides the bayonet, and when the sternest authority does not venture to encounter the scorching power of public reproach. Any attempt of the kind I have mentioned should be met by one universal burst of indignation; the air of the civilized world ought to be made too warm to be comfortably breathed by any one who would hazard it.

It is, indeed, a touching reflection, that, while, in the fulness of our country's happiness, we rear this monument to her honor, we look for instruction in our undertaking to a country which is now in fearful contest, not for works of art or memorials of glory, but for her own existence. Let her be assured, that she is not forgotten in the world; that her efforts are applauded, and that constant prayers ascend for her success. And let us cherish a confident hope for her final triumph. If the true spark of religious and civil liberty be kindled, it will burn. Human agency cannot extinguish it. Like the earth's central fire, it may be smothered for a time; the ocean may overwhelm it; mountains may press it down; but its inherent and unconquerable force will heave both the ocean and the land, and at some time or other, in some place or other, the volcano will break out and flame up to heaven.

Among the great events of the half-century, we must reckon, certainly, the revolution of South America; and we are not

likely to overrate the importance of that revolution, either to the people of the country itself or to the rest of the world. The late Spanish colonies, now independent states, under circumstances less favorable, doubtless, than attended our own revolution, have yet successfully commenced their national existence. They have accomplished the great object of establishing their independence; they are known and acknowledged in the world; and although in regard to their systems of government, their sentiments on religious toleration, and their provisions for public instruction, they may have yet much to learn, it must be admitted that they have risen to the condition of settled and established states more rapidly than could have been reasonably anticipated. They already furnish an exhilarating example of the difference between free governments and despotic misrule. Their commerce, at this moment, creates a new activity in all the great marts of the world. They show themselves able, by an exchange of commodities, to bear a useful part in the intercourse of nations.

A new spirit of enterprise and industry begins to prevail; all the great interests of society receive a salutary impulse; and the progress of information not only testifies to an improved condition, but itself constitutes the highest and most essential improvement.

When the battle of Bunker Hill was fought, the existence of South America was scarcely felt in the civilized world. The thirteen little Colonies of North America habitually called themselves the "Continent." Borne down by colonial subjugation, monopoly, and bigotry, these vast regions of the South were hardly visible above the horizon. But in our day there has been, as it were, a new creation. The southern hemisphere emerges from the sea. Its lofty mountains begin to lift themselves into the light of heaven; its broad and fertile plains stretch out, in beauty, to the eye of civilized man, and at the mighty bidding of the voice of political liberty the waters of darkness retire.

And, now, let us indulge an honest exultation in the conviction of the benefit which the example of our country has produced, and is likely to produce, on human freedom and human happiness. Let us endeavor to comprehend in all its magni-

tude, and to feel in all its importance, the part assigned to us in the great drama of human affairs. We are placed at the head of the system of representative and popular governments. Thus far our example shows that such governments are compatible, not only with respectability and power, but with repose, with peace, with security of personal rights, with good laws, and a just administration.

We are not propagandists. Wherever other systems are preferred, either as being thought better in themselves, or as better suited to existing condition, we leave the preference to be enjoyed. Our history hitherto proves, however, that the popular form is practicable, and that with wisdom and knowledge men may govern themselves; and the duty incumbent on us is, to preserve the consistency of this cheering example, and take care that nothing may weaken its authority with the world. If, in our case, the representative system ultimately fail, popular governments must be pronounced impossible. No combination of circumstances more favorable to the experiment can ever be expected to occur. The last hopes of mankind, therefore, rest with us; and if it should be proclaimed, that our example had become an argument against the experiment, the knell of popular liberty would be sounded throughout the earth.

These are excitements to duty; but they are not suggestions of doubt. Our history and our condition, all that is gone before us, and all that surrounds us, authorize the belief, that popular governments, though subject to occasional variations, in form perhaps not always for the better, may yet, in their general character, be as durable and permanent as other systems. We know, indeed, that in our country any other is impossible. The *principle* of free governments adheres to the American soil. It is bedded in it, immovable as its mountains.

And let the sacred obligations which have devolved on this generation, and on us, sink deep into our hearts. Those who established our liberty and our government are daily dropping from among us. The great trust now descends to new hands. Let us apply ourselves to that which is presented to us, as our appropriate object. We can win no laurels in a war for independence. Earlier and worthier hands have gathered them all. Nor are there places for us by the side of Solon, and Alfred, and other founders of states. Our fathers have filled them. But

there remains to us a great duty of defence and preservation, and there is opened to us, also, a noble pursuit, to which the spirit of the times strongly invites us. Our proper business is improvement. Let our age be the age of improvement. In a day of peace, let us advance the arts of peace and the works of peace. Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also, in our day and generation, may not perform something worthy to be remembered. Let us cultivate a true spirit of union and harmony. In pursuing the great objects which our condition points out to us, let us act under a settled conviction, and an habitual feeling, that these twenty-four States are one country. Let our conceptions be enlarged to the circle of our duties. Let us extend our ideas over the whole of the vast field in which we are called to act. Let our object be, OUR COUNTRY, OUR WHOLE COUNTRY, AND NOTHING BUT OUR COUNTRY. And, by the blessing of God, may that country itself become a vast and splendid monument, not of oppression and terror, but of Wisdom, of Peace, and of Liberty, upon which the world may gaze with admiration for ever!

The Completion
of the
Bunker Hill Monument

Introductory Note

In the introductory note to the preceding Address, a brief account is given of the origin and progress of the measures adopted for the erection of the Bunker Hill Monument, down to the time of laying the corner-stone, compiled from Mr. Frothingham's History of the Siege of Boston. The same valuable work (pp. 345 – 352) relates the obstacles which presented themselves to the rapid execution of the design, and the means by which they were overcome. In this narrative, Mr. Frothingham has done justice to the efforts and exertions of the successive boards of direction and officers of the Association, to the skill and disinterestedness of the architect, to the liberality of distinguished individuals, to the public spirit of the Massachusetts Charitable Mechanic Association, in promoting a renewed subscription, and to the patriotic zeal of the ladies of Boston and the vicinity, in holding a most successful fair. As it would be difficult farther to condense the information contained in this interesting summary, we must refer the reader to Mr. Frothingham's work for an adequate account of the causes which delayed the completion of the monument for nearly seventeen years, and of the resources and exertions by which the desired end was finally attained. The last stone was raised to its place on the morning of the 23d of July, 1842.

It was determined by the directors of the Association, that the completion of the work should be celebrated in a manner not less imposing than that in which the laying of the corner-stone had been celebrated, seventeen years before. The coöperation of Mr. Webster was again invited, and, notwithstanding the pressure of his engagements as Secretary of State at Washington, was again patriotically yielded. Many circumstances conspired to increase the interest of the occasion. The completion of the monument had been long delayed, but in the interval the subject had been kept much before the public mind. Mr. Webster's address on the 17th of June, 1825, had obtained the widest circulation throughout the country; passages from it had passed into household words throughout the Union. Wherever they were repeated, they made the Bunker Hill Monument a

familiar thought with the people. Meantime, Boston and Charlestown had doubled their population, and the multiplication of railroads in every direction enabled a person, in almost any part of New England, to reach the metropolis in a day. The President of the United States and his Cabinet had accepted invitations to be present; delegations of the descendants of New England were present from the remotest parts of the Union; one hundred and eight surviving veterans of the Revolution, among whom were some who were in the battle of Bunker Hill, imparted a touching interest to the scene.

Every thing conspired to promote the success of the ceremonial The day was uncommonly fine; cool for the season, and clear. A large volunteer force from various parts of the country had assembled for the occasion, and formed a brilliant escort to an immense procession, as it moved from Boston to the battle-ground on the hill. The bank which slopes down from the obelisk on the eastern side of Monument Square was covered with seats, rising in the form of an amphitheatre, under the open sky. These had been prepared for ladies, who had assembled in great numbers, awaiting the arrival of the procession. When it arrived, it was received into a large open area in front of these seats. Mr. Webster was stationed upon an elevated platform, in front of the audience and of the monument towering in the background. According to Mr. Frothingham's estimate, a hundred thousand persons were gathered about the spot, and nearly half that number are supposed to have been within the reach of the orator's voice. The ground rises slightly between the platform and the Monument Square, so that the whole of this immense concourse, compactly crowded together, breathless with attention, swayed by one sentiment of admiration and delight, was within the full view of the speaker. The position and the occasion were the height of the moral sublime. "When, after saying, 'It is not from my lips, it could not be from any human lips, that that strain of eloquence is this day to flow most competent to move and excite the vast multitude around me, — the powerful speaker stands motionless before us,' he paused, and pointed in silent admiration to the sublime structure, the audience burst into long and loud applause. It was some moments before the speaker could go on with the address."

The Completion of the Bunker Hill Monument*

A DUTY has been performed. A work of gratitude and patriotism is completed. This structure, having its foundations in soil which drank deep of early Revolutionary blood, has at length reached its destined height, and now lifts its summit to the skies.

We have assembled to celebrate the accomplishment of this undertaking, and to indulge afresh in the recollection of the great event which it is designed to commemorate. Eighteen years, more than half the ordinary duration of a generation of mankind, have elapsed since the corner-stone of this monument was laid. The hopes of its projectors rested on voluntary contributions, private munificence, and the general favor of the public. These hopes have not been disappointed. Donations have been made by individuals, in some cases of large amount, and smaller sums have been contributed by thousands. All who regard the object itself as important, and its accomplishment, therefore, as a good attained, will entertain sincere respect and gratitude for the unwearied efforts of the successive presidents, boards of directors, and committees of the Association which has had the general control of the work. The architect, equally entitled to our thanks and commendation, will find other reward, also, for his labor and skill, in the beauty and elegance of the obelisk itself, and the distinction which, as a work of art, it confers upon him.

At a period when the prospects of further progress in the undertaking were gloomy and discouraging, the Mechanic Associ-

* An Address delivered on Bunker Hill, on the 17th of June, 1843.

ation, by a most praiseworthy and vigorous effort, raised new funds for carrying it forward, and saw them applied with fidelity, economy, and skill. It is a grateful duty to make public acknowledgments of such timely and efficient aid.

The last effort and the last contribution were from a different source. Garlands of grace and elegance were destined to crown a work which had its commencement in manly patriotism. The winning power of the sex addressed itself to the public, and all that was needed to carry the monument to its proposed height, and to give to it its finish, was promptly supplied. The mothers and the daughters of the land contributed thus, most successfully, to whatever there is of beauty in the monument itself, or whatever of utility and public benefit and gratification there is in its completion.

Of those with whom the plan originated of erecting on this spot a monument worthy of the event to be commemorated, many are now present; but others, alas! have themselves become subjects of monumental inscription. William Tudor, an accomplished scholar, a distinguished writer, a most amiable man, allied both by birth and sentiment to the patriots of the Revolution, died while on public service abroad, and now lies buried in a foreign land.* William Sullivan, a name fragrant of Revolutionary merit, and of public service and public virtue, who himself partook in a high degree of the respect and confidence of the community, and yet was always most loved where best known, has also been gathered to his fathers.† And last, George Blake, a lawyer of learning and eloquence, a man of wit and of talent, of social qualities the most agreeable and fascinating, and of gifts which enabled him to exercise large sway over public assemblies, has closed his human career.† I know that in the crowds before me there are those from whose eyes tears will flow at the mention of these names. But such mention is due to their general character, their public and private virtues, and especially, on this occasion, to the spirit and zeal with which they entered into the undertaking which is now completed.

* William Tudor died at Rio de Janeiro, as Chargé d'Affaires of the United States, in 1830.

† William Sullivan died in Boston in 1839. George Blake in 1841, both gentlemen of great political and legal eminence.

I have spoken only of those who are no longer numbered with the living. But a long life, now drawing towards its close, always distinguished by acts of public spirit, humanity, and charity, forming a character which has already become historical, and sanctified by public regard and the affection of friends, may confer even on the living the proper immunity of the dead, and be the fit subject of honorable mention and warm commendation. Of the early projectors of the design of this monument, one of the most prominent, the most zealous, and the most efficient, is Thomas H. Perkins. It was beneath his ever-hospitable roof that those whom I have mentioned, and others yet living and now present, having assembled for the purpose, adopted the first step towards erecting a monument on Bunker Hill. Long may he remain, with unimpaired faculties, in the wide field of his usefulness! His charities have distilled, like the dews of heaven; he has fed the hungry, and clothed the naked; he has given sight to the blind; and for such virtues there is a reward on high, of which all human memorials, all language of brass and stone, are but humble types and attempted imitations.

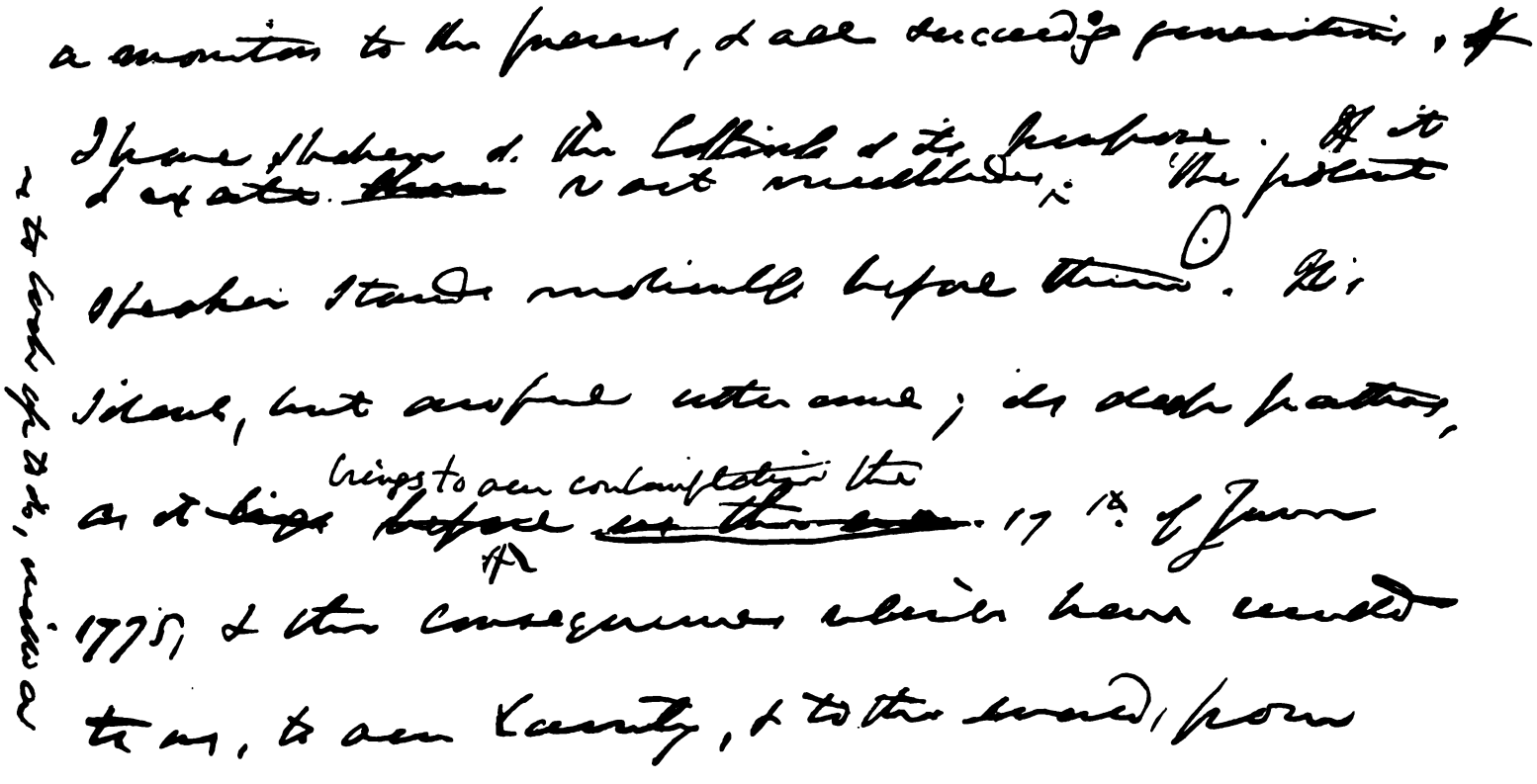
Time and nature have had their course, in diminishing the number of those whom we met here on the 17th of June, 1825. Most of the Revolutionary characters then present have since deceased; and Lafayette sleeps in his native land. Yet the name and blood of Warren are with us; the kindred of Putnam are also here; and near me, universally beloved for his character and his virtues, and now venerable for his years, sits the son of the noble-hearted and daring Prescott.* Gideon Foster of Danvers, Enos Reynolds of Boxford, Phineas Johnson, Robert Andrews, Elijah Dresser, Josiah Cleaveland, Jesse Smith, Philip Bagley, Needham Maynard, Roger Plaisted, Joseph Stephens, Nehemiah Porter, and James Harvey, who bore arms for their country either at Concord and Lexington, on the 19th of April, or on Bunker Hill, all now far advanced in age, have come here to-day, to look once more on the field where their valor was proved, and to receive a hearty outpouring of our respect.

They have long outlived the troubles and dangers of the Rev-

* William Prescott (since deceased, in 1844), son of Colonel William Prescott, who commanded on the 17th of June, 1775, and father of William H. Prescott, the historian.

olution; they have outlived the evils arising from the want of a united and efficient government; they have outlived the menace of imminent dangers to the public liberty; they have outlived nearly all their contemporaries; but they have not outlived, they cannot outlive, the affectionate gratitude of their country. Heaven has not allotted to this generation an opportunity of rendering high services, and manifesting strong personal devotion, such as they rendered and manifested, and in such a cause as that which roused the patriotic fires of their youthful breasts, and nerved the strength of their arms. But we may praise what we cannot equal, and celebrate actions which we were not born to perform. *Pulchrum est benefacere reipublicæ, etiam bene dicere haud absurdum est.*

The Bunker Hill Monument is finished. Here it stands. Fortunate in the high natural eminence on which it is placed, higher, infinitely higher in its objects and purpose, it rises over the land and over the sea; and, visible, at their homes, to three hundred thousand of the people of Massachusetts, it stands a memorial of the last, and a monitor to the present and to all succeeding generations. I have spoken of the loftiness of its purpose. If it had been without any other design than the creation of a work of art, the granite of which it is composed would have slept in its native bed. It has a purpose, and that purpose gives it its character. That purpose enrobes it with dignity and moral grandeur. That well-known purpose it is which causes us to look up to it with a feeling of awe. It is itself the orator of this occasion. It is not from my lips, it could not be from any human lips, that that strain of eloquence is this day to flow most competent to move and excite the vast multitudes around me. The powerful speaker stands motionless before us. It is a plain shaft. It bears no inscriptions, fronting to the rising sun, from which the future antiquary shall wipe the dust. Nor does the rising sun cause tones of music to issue from its summit. But at the rising of the sun, and at the setting of the sun; in the blaze of noonday, and beneath the milder effulgence of lunar light; it looks, it speaks, it acts, to the full comprehension of every American mind, and the awakening of glowing enthusiasm in every American heart. Its silent, but awful utterance; its deep pathos, as it brings to our contemplation the 17th of June, 1775, and the consequences



Facsimile from the Original Manuscript of Mr. Webster's Speech at the completion of Bunker Hill Monument.

the events of that day, & which we know must
to continue to rain
~~[illegible]~~ influence over the destinies of our ankind, to
the elevation with which it raises us high above the ordinary feelings of life, & unless
all of that the [illegible] of the [illegible], ~~[illegible]~~ or even the [illegible] of genius [illegible]
the end of time, ~~[illegible]~~. Today, ~~[illegible]~~

it speaks to us. Its future auditories will thin

the ascending generations of men, as they rise up
before it, & gather round it. Its speech will be
of patriotism & courage; of civil & religious

which have resulted to us, to our country, and to the world, from the events of that day, and which we know must continue to rain influence on the destinies of mankind to the end of time; the elevation with which it raises us high above the ordinary feelings of life, surpass all that the study of the closet, or even the inspiration of genius, can produce. To-day it speaks to us. Its future auditories will be the successive generations of men, as they rise up before it and gather around it. Its speech will be of patriotism and courage; of civil and religious liberty; of free government; of the moral improvement and elevation of mankind; and of the immortal memory of those who, with heroic devotion, have sacrificed their lives for their country.*

In the older world, numerous fabrics still exist, reared by human hands, but whose object has been lost in the darkness of ages. They are now monuments of nothing but the labor and skill which constructed them.

The mighty pyramid itself, half buried in the sands of Africa, has nothing to bring down and report to us, but the power of kings and the servitude of the people. If it had any purpose beyond that of a mausoleum, such purpose has perished from history and from tradition. If asked for its moral object, its admonition, its sentiment, its instruction to mankind, or any high end in its erection, it is silent; silent as the millions which lie in the dust at its base, and in the catacombs which surround it. Without a just moral object, therefore, made known to man, though raised against the skies, it excites only conviction of power, mixed with strange wonder. But if the civilization of the present race of men, founded, as it is, in solid science, the true knowledge of nature, and vast discoveries in art, and which is elevated and purified by moral sentiment and by the truths of Christianity, be not destined to destruction before the final termination of human existence on earth, the object and purpose of this edifice will be known till that hour shall come. And even if civilization should be subverted, and the truths of the Christian religion obscured by a new deluge of barbarism, the memory of Bunker Hill and the American Revolution will still be elements and parts of the knowledge which shall be possessed by the last man to whom the light of civilization and Christianity shall be extended.

* See the Note at the end of the Address.

This celebration is honored by the presence of the chief executive magistrate of the Union. An occasion so national in its object and character, and so much connected with that Revolution from which the government sprang at the head of which he is placed, may well receive from him this mark of attention and respect. Well acquainted with Yorktown, the scene of the last great military struggle of the Revolution, his eye now surveys the field of Bunker Hill, the theatre of the first of those important conflicts. He sees where Warren fell, where Putnam, and Prescott, and Stark, and Knowlton, and Brooks fought. He beholds the spot where a thousand trained soldiers of England were smitten to the earth, in the first effort of revolutionary war, by the arm of a bold and determined yeomanry, contending for liberty and their country. And while all assembled here entertain towards him sincere personal good wishes and the high respect due to his elevated office and station, it is not to be doubted that he enters, with true American feeling, into the patriotic enthusiasm kindled by the occasion which animates the multitudes that surround him.

His Excellency, the Governor of the Commonwealth, the Governor of Rhode Island, and the other distinguished public men whom we have the honor to receive as visitors and guests to-day, will cordially unite in a celebration connected with the great event of the Revolutionary war.

No name in the history of 1775 and 1776 is more distinguished than that borne by an ex-president of the United States, whom we expected to see here, but whose ill health prevents his attendance. Whenever popular rights were to be asserted, an Adams was present; and when the time came for the formal Declaration of Independence, it was the voice of an Adams that shook the halls of Congress. We wish we could have welcomed to us this day the inheritor of Revolutionary blood, and the just and worthy representative of high Revolutionary names, merit, and services.

Banners and badges, processions and flags, announce to us, that amidst this uncounted throng are thousands of natives of New England now residents in other States. Welcome, ye kindred names, with kindred blood! From the broad savannas of the South, from the newer regions of the West, from amidst the hundreds of thousands of men of Eastern origin who culti-

vate the rich valley of the Genesee or live along the chain of the Lakes, from the mountains of Pennsylvania, and from the thronged cities of the coast, welcome, welcome! Wherever else you may be strangers, here you are all at home. You assemble at this shrine of liberty, near the family altars at which your earliest devotions were paid to Heaven; near to the temples of worship first entered by you, and near to the schools and colleges in which your education was received. You come nither with a glorious ancestry of liberty. You bring names which are on the rolls of Lexington, Concord, and Bunker Hill. You come, some of you, once more to be embraced by an aged Revolutionary father, or to receive another, perhaps a last, blessing, bestowed in love and tears, by a mother, yet surviving to witness and to enjoy your prosperity and happiness.

But if family associations and the recollections of the past bring you hither with greater alacrity, and mingle with your greeting much of local attachment and private affection, greeting also be given, free and hearty greeting, to every American citizen who treads this sacred soil with patriotic feeling, and respires with pleasure in an atmosphere perfumed with the recollections of 1775! This occasion is respectable, nay, it is grand, it is sublime, by the nationality of its sentiment. Among the seventeen millions of happy people who form the American community, there is not one who has not an interest in this monument, as there is not one that has not a deep and abiding interest in that which it commemorates.

Woe betide the man who brings to this day's worship feeling less than wholly American! Woe betide the man who can stand here with the fires of local resentments burning, or the purpose of fomenting local jealousies and the strifes of local interests festering and rankling in his heart. Union, established in justice, in patriotism, and the most plain and obvious common interest, — union, founded on the same love of liberty, cemented by blood shed in the same common cause, — union has been the source of all our glory and greatness thus far, and is the ground of all our highest hopes. This column stands on Union. I know not that it might not keep its position, if the American Union, in the mad conflict of human passions, and in the strife of parties and factions, should be broken up and destroyed. I know not that it would totter and fall to the earth, and mingle

its fragments with the fragments of Liberty and the Constitution, when State should be separated from State, and faction and dismemberment obliterate for ever all the hopes of the founders of our republic, and the great inheritance of their children. It might stand. But who, from beneath the weight of mortification and shame that would oppress him, could look up to behold it? Whose eyeballs would not be seared by such a spectacle? For my part, should I live to such a time, I shall avert my eyes from it for ever.

It is not as a mere military encounter of hostile armies, that the battle of Bunker Hill presents its principal claim to attention. Yet, even as a mere battle, there were circumstances attending it extraordinary in character, and entitling it to peculiar distinction. It was fought on this eminence; in the neighborhood of yonder city; in the presence of many more spectators than there were combatants in the conflict. Men, women, and children, from every commanding position, were gazing at the battle, and looking for its results with all the eagerness natural to those who knew that the issue was fraught with the deepest consequences to themselves, personally, as well as to their country. Yet, on the 16th of June, 1775, there was nothing around this hill but verdure and culture. There was, indeed, the note of awful preparation in Boston. There was the Provincial army at Cambridge, with its right flank resting on Dorchester, and its left on Chelsea. But here all was peace. Tranquillity reigned around. On the 17th every thing was changed. On this eminence had arisen, in the night, a redoubt, built by Prescott, and in which he held command. Perceived by the enemy at dawn, it was immediately cannonaded from the floating batteries in the river, and from the opposite shore. And then ensued the hurried movement in Boston, and soon the troops of Britain embarked in the attempt to dislodge the Colonists. In an hour every thing indicated an immediate and bloody conflict. Love of liberty on one side, proud defiance of rebellion on the other; hopes and fears, and courage and daring, on both sides, animated the hearts of the combatants as they hung on the edge of battle.

I suppose it would be difficult, in a military point of view, to ascribe to the leaders on either side any just motive for the engagement which followed. On the one hand, it could not have

been very important to the Americans to attempt to hem the British within the town, by advancing one single post a quarter of a mile; while, on the other hand, if the British found it essential to dislodge the American troops, they had it in their power at no expense of life. By moving up their ships and batteries, they could have completely cut off all communication with the mainland over the Neck, and the forces in the redoubt would have been reduced to a state of famine in forty-eight hours.

But that was not the day for any such consideration on either side! Both parties were anxious to try the strength of their arms. The pride of England would not permit the rebels, as she termed them, to defy her to the teeth; and, without for a moment calculating the cost, the British general determined to destroy the fort immediately. On the other side, Prescott and his gallant followers longed and thirsted for a decisive trial of strength and of courage. They wished a battle, and wished it at once. And this is the true secret of the movements on this hill.

I will not attempt to describe that battle. The cannonading; the landing of the British; their advance; the coolness with which the charge was met; the repulse; the second attack; the second repulse; the burning of Charlestown; and, finally, the closing assault, and the slow retreat of the Americans, — the history of all these is familiar.

But the consequences of the battle of Bunker Hill were greater than those of any ordinary conflict, although between armies of far greater force, and terminating with more immediate advantage on the one side or the other. It was the first great battle of the Revolution; and not only the first blow, but the blow which determined the contest. It did not, indeed, put an end to the war, but in the then existing hostile state of feeling, the difficulties could only be referred to the arbitration of the sword. And one thing is certain; that after the New England troops had shown themselves able to face and repulse the regulars, it was decided that peace never could be established, but upon the basis of the independence of the Colonies. When the sun of that day went down, the event of Independence was no longer doubtful. In a few days Washington heard of the battle, and he inquired if the militia had stood the fire of the regulars. When told that they had not only stood that fire, but reserved

their own till the enemy was within eight rods, and then poured it in with tremendous effect, "Then," exclaimed he, "the liberties of the country are safe!"

The consequences of this battle were just of the same importance as the Revolution itself.

If there was nothing of value in the principles of the American Revolution, then there is nothing valuable in the battle of Bunker Hill and its consequences. But if the Revolution was an era in the history of man favorable to human happiness, if it was an event which marked the progress of man all over the world from despotism to liberty, then this monument is not raised without cause. Then the battle of Bunker Hill is not an event undeserving celebrations, commemorations, and rejoicings, now and in all coming times.

What, then, is the true and peculiar principle of the American Revolution, and of the systems of government which it has confirmed and established? The truth is, that the American Revolution was not caused by the instantaneous discovery of principles of government before unheard of, or the practical adoption of political ideas such as had never before entered into the minds of men. It was but the full development of principles of government, forms of society, and political sentiments, the origin of all which lay back two centuries in English and American history.

The discovery of America, its colonization by the nations of Europe, the history and progress of the colonies, from their establishment to the time when the principal of them threw off their allegiance to the respective states by which they had been planted, and founded governments of their own, constitute one of the most interesting portions of the annals of man. These events occupied three hundred years; during which period civilization and knowledge made steady progress in the Old World; so that Europe, at the commencement of the nineteenth century, had become greatly changed from that Europe which began the colonization of America at the close of the fifteenth, or the commencement of the sixteenth. And what is most material to my present purpose is, that in the progress of the first of these centuries, that is to say, from the discovery of America to the settlements of Virginia and Massachusetts, political and religious events took place, which most materially affected the state

of society and the sentiments of mankind, especially in England and in parts of Continental Europe. After a few feeble and unsuccessful efforts by England, under Henry the Seventh, to plant colonies in America, no designs of that kind were prosecuted for a long period, either by the English government or any of its subjects. Without inquiring into the causes of this delay, its consequences are sufficiently clear and striking. England, in this lapse of a century, unknown to herself, but under the providence of God and the influence of events, was fitting herself for the work of colonizing North America, on such principles and by such men, as should spread the English name and English blood, in time, over a great portion of the Western hemisphere. The commercial spirit was greatly fostered by several laws passed in the reign of Henry the Seventh; and in the same reign encouragement was given to arts and manufactures in the eastern counties, and some not unimportant modifications of the feudal system took place, by allowing the breaking of entails. These and other measures, and other occurrences, were making way for a new class of society to emerge, and show itself, in a military and feudal age; a middle class, between the barons or great landholders and the retainers of the crown, on the one side, and the tenants of the crown and barons, and agricultural and other laborers, on the other side. With the rise and growth of this new class of society, not only did commerce and the arts increase, but better education, a greater degree of knowledge, juster notions of the true ends of government, and sentiments favorable to civil liberty, began to spread abroad, and become more and more common. But the plants springing from these seeds were of slow growth. The character of English society had indeed begun to undergo a change; but changes of national character are ordinarily the work of time. Operative causes were, however, evidently in existence, and sure to produce, ultimately, their proper effect. From the accession of Henry the Seventh to the breaking out of the civil wars, England enjoyed much greater exemption from war, foreign and domestic, than for a long period before, and during the controversy between the houses of York and Lancaster. These years of peace were favorable to commerce and the arts. Commerce and the arts augmented general and individual knowledge; and knowledge is the only fountain, both of the love and the principles of human liberty.

Other powerful causes soon came into active play. The Reformation of Luther broke out, kindling up the minds of men afresh, leading to new habits of thought, and awakening in individuals energies before unknown even to themselves. The religious controversies of this period changed society, as well as religion; indeed, it would be easy to prove, if this occasion were proper for it, that they changed society to a considerable extent, where they did not change the religion of the state. They changed man himself, in his modes of thought, his consciousness of his own powers, and his desire of intellectual attainment. The spirit of commercial and foreign adventure, therefore, on the one hand, which had gained so much strength and influence since the time of the discovery of America, and, on the other, the assertion and maintenance of religious liberty, having their source indeed in the Reformation, but continued, diversified, and constantly strengthened by the subsequent divisions of sentiment and opinion among the Reformers themselves, and this love of religious liberty drawing after it or bringing along with it, as it always does, an ardent devotion to the principle of civil liberty also, were the powerful influences under which character was formed and men trained, for the great work of introducing English civilization, English law, and what is more than all, Anglo-Saxon blood, into the wilderness of North America. Raleigh and his companions may be considered as the creatures, principally, of the first of these causes. High-spirited, full of the love of personal adventure, excited, too, in some degree, by the hopes of sudden riches from the discovery of mines of the precious metals, and not unwilling to diversify the labors of settling a colony with occasional cruising against the Spaniards in the West Indian seas, they crossed and recrossed the ocean, with a frequency which surprises us, when we consider the state of navigation, and which evinces a most daring spirit.

The other cause peopled New England. The Mayflower sought our shores under no high-wrought spirit of commercial adventure, no love of gold, no mixture of purpose warlike or hostile to any human being. Like the dove from the ark, she had put forth only to find rest. Solemn supplications on the shore of the sea, in Holland, had invoked for her, at her departure, the blessings of Providence. The stars which guided her were the unobscured constellations of civil and religious liberty.

Her deck was the altar of the living God. Fervent prayers on bended knees, mingled, morning and evening, with the voices of ocean, and the sighing of the wind in her shrouds. Every prosperous breeze, which, gently swelling her sails, helped the Pilgrims onward in their course, awoke new anthems of praise; and when the elements were wrought into fury, neither the tempest, tossing their fragile bark like a feather, nor the darkness and howling of the midnight storm, ever disturbed, in man or woman, the firm and settled purpose of their souls, to undergo all, and to do all, that the meekest patience, the boldest resolution, and the highest trust in God could enable human beings to suffer or to perform

Some differences may, doubtless, be traced at this day between the descendants of the early colonists of Virginia and those of New England, owing to the different influences and different circumstances under which the respective settlements were made; but only enough to create a pleasing variety in the midst of a general family resemblance.

> "Facies, non omnibus una,
> Nec diversa tamen, qualem decet esse sororum."

But the habits, sentiments, and objects of both soon became modified by local causes, growing out of their condition in the New World; and as this condition was essentially alike in both, and as both at once adopted the same general rules and principles of English jurisprudence, and became accustomed to the authority of representative bodies, these differences gradually diminished. They disappeared by the progress of time, and the influence of intercourse. The necessity of some degree of union and coöperation to defend themselves against the savage tribes, tended to excite in them mutual respect and regard. They fought together in the wars against France. The great and common cause of the Revolution bound them to one another by new links of brotherhood; and at length the present constitution of government united them happily and gloriously, to form the great republic of the world, and bound up their interests and fortunes, till the whole earth sees that there is now for them, in present possession as well as in future hope, but "One Country, One Constitution, and One Destiny."

The colonization of the tropical region, and the whole of the

southern parts of the continent, by Spain and Portugal, was conducted on other principles, under the influence of other motives, and followed by far different consequences. From the time of its discovery, the Spanish government pushed forward its settlements in America, not only with vigor, but with eagerness; so that long before the first permanent English settlement had been accomplished in what is now the United States, Spain had conquered Mexico, Peru, and Chili, and stretched her power over nearly all the territory she ever acquired on this continent. The rapidity of these conquests is to be ascribed in a great degree to the eagerness, not to say the rapacity, of those numerous bands of adventurers, who were stimulated by individual interests and private hopes to subdue immense regions, and take possession of them in the name of the crown of Spain. The mines of gold and silver were the incitements to these efforts, and accordingly settlements were generally made, and Spanish authority established immediately on the subjugation of territory, that the native population might be set to work by their new Spanish masters in the mines. From these facts, the love of gold — gold, not produced by industry, nor accumulated by commerce, but gold dug from its native bed in the bowels of the earth, and that earth ravished from its rightful possessors by every possible degree of enormity, cruelty, and crime — was long the governing passion in Spanish wars and Spanish settlements in America. Even Columbus himself did not wholly escape the influence of this base motive. In his early voyages we find him passing from island to island, inquiring everywhere for gold; as if God had opened the New World to the knowledge of the Old, only to gratify a passion equally senseless and sordid, and to offer up millions of an unoffending race of men to the destruction of the sword, sharpened both by cruelty and rapacity. And yet Columbus was far above his age and country. Enthusiastic, indeed, but sober, religious, and magnanimous; born to great things and capable of high sentiments, as his noble discourse before Ferdinand and Isabella, as well as the whole history of his life, shows. Probably he sacrificed much to the known sentiments of others, and addressed to his followers motives likely to influence them. At the same time, it is evident that he himself looked upon the world which he discovered as a world of wealth, all ready to be seized and enjoyed.

The conquerors and the European settlers of Spanish America were mainly military commanders and common soldiers. The monarchy of Spain was not transferred to this hemisphere, but it acted in it, as it acted at home, through its ordinary means, and its true representative, military force. The robbery and destruction of the native race was the achievement of standing armies, in the right of the king, and by his authority, fighting in his name, for the aggrandizement of his power and the extension of his prerogatives, with military ideas under arbitrary maxims, — a portion of that dreadful instrumentality by which a perfect despotism governs a people. As there was no liberty in Spain, how could liberty be transmitted to Spanish colonies?

The colonists of English America were of the people, and a people already free. They were of the middle, industrious, and already prosperous class, the inhabitants of commercial and manufacturing cities, among whom liberty first revived and respired, after a sleep of a thousand years in the bosom of the Dark Ages. Spain descended on the New World in the armed and terrible image of her monarchy and her soldiery; England approached it in the winning and popular garb of personal rights, public protection, and civil freedom. England transplanted liberty to America; Spain transplanted power. England, through the agency of private companies and the efforts of individuals, colonized this part of North America by industrious individuals, making their own way in the wilderness, defending themselves against the savages, recognizing their right to the soil, and with a general honest purpose of introducing knowledge as well as Christianity among them. Spain stooped on South America, like a vulture on its prey. Every thing was force. Territories were acquired by fire and sword. Cities were destroyed by fire and sword. Hundreds of thousands of human beings fell by fire and sword. Even conversion to Christianity was attempted by fire and sword.

Behold, then, fellow-citizens, the difference resulting from the operation of the two principles! Here, to-day, on the summit of Bunker Hill, and at the foot of this monument, behold the difference! I would that the fifty thousand voices present could proclaim it with a shout which should be heard over the globe. Our inheritance was of liberty, secured and regulated by law,

and enlightened by religion and knowledge; that of South America was of power, stern, unrelenting, tyrannical, military power. And now look to the consequences of the two principles on the general and aggregate happiness of the human race. Behold the results, in all the regions conquered by Cortéz and Pizarro, and the contrasted results here. I suppose the territory of the United States may amount to one eighth, or one tenth, of that colonized by Spain on this continent; and yet in all that vast region there are but between one and two millions of people of European color and European blood, while in the United States there are fourteen millions who rejoice in their descent from the people of the more northern part of Europe.

But we may follow the difference in the original principle of colonization, and in its character and objects, still further. We must look to moral and intellectual results; we must consider consequences, not only as they show themselves in hastening or retarding the increase of population and the supply of physical wants, but in their civilization, improvement, and happiness. We must inquire what progress has been made in the true science of liberty, in the knowledge of the great principles of self-government, and in the progress of man, as a social, moral, and religious being.

I would not willingly say any thing on this occasion discourteous to the new governments founded on the demolition of the power of the Spanish monarchy. They are yet on their trial, and I hope for a favorable result. But truth, sacred truth, and fidelity to the cause of civil liberty, compel me to say, that hitherto they have discovered quite too much of the spirit of that monarchy from which they separated themselves. Quite too frequent resort is made to military force; and quite too much of the substance of the people is consumed in maintaining armies, not for defence against foreign aggression, but for enforcing obedience to domestic authority. Standing armies are the oppressive instruments for governing the people, in the hands of hereditary and arbitrary monarchs. A military republic, a government founded on mock elections, and supported only by the sword, is a movement indeed, but a retrograde and disastrous movement, from the regular and old-fashioned monarchical systems. If men would enjoy the blessings of republican gov-

ernment, they must govern themselves by reason, by mutual counsel and consultation, by a sense and feeling of general interest, and by the acquiescence of the minority in the will of the majority, properly expressed; and, above all, the military must be kept, according to the language of our Bill of Rights, in strict subordination to the civil authority. Wherever this lesson is not both learned and practised, there can be no political freedom. Absurd, preposterous is it, a scoff and a satire on free forms of constitutional liberty, for frames of government to be prescribed by military leaders, and the right of suffrage to be exercised at the point of the sword.

Making all allowance for situation and climate, it cannot be doubted by intelligent minds, that the difference now existing between North and South America is justly attributable, in a great degree, to political institutions in the Old World and in the New. And how broad that difference is! Suppose an assembly, in one of the valleys or on the side of one of the mountains of the southern half of the hemisphere, to be held, this day, in the neighborhood of a large city; — what would be the scene presented? Yonder is a volcano, flaming and smoking, but shedding no light, moral or intellectual. At its foot is the mine, sometimes yielding, perhaps, large gains to capital, but in which labor is destined to eternal and unrequited toil, and followed only by penury and beggary. The city is filled with armed men; not a free people, armed and coming forth voluntarily to rejoice in a public festivity, but hireling troops, supported by forced loans, excessive impositions on commerce, or taxes wrung from a half-fed and a half-clothed population. For the great there are palaces covered with gold; for the poor there are hovels of the meanest sort. There is an ecclesiastical hierarchy, enjoying the wealth of princes; but there are no means of education for the people. Do public improvements favor intercourse between place and place? So far from this, the traveller cannot pass from town to town, without danger, every mile, of robbery and assassination. I would not overcharge or exaggerate this picture; but its principal features are all too truly sketched.

And how does it contrast with the scene now actually before us? Look round upon these fields; they are verdant and beautiful, well cultivated, and at this moment loaded with the riches

of the early harvest. The hands which till them are those of the free owners of the soil, enjoying equal rights, and protected by law from oppression and tyranny. Look to the thousand vessels in our sight, filling the harbor, or covering the neighboring sea. They are the vehicles of a profitable commerce, carried on by men who know that the profits of their hardy enterprise, when they make them, are their own; and this commerce is encouraged and regulated by wise laws, and defended, when need be, by the valor and patriotism of the country. Look to that fair city, the abode of so much diffused wealth, so much general happiness and comfort, so much personal independence, and so much general knowledge, and not undistinguished, I may be permitted to add, for hospitality and social refinement. She fears no forced contributions, no siege or sacking from military leaders of rival factions. The hundred temples in which her citizens worship God are in no danger of sacrilege. The regular administration of the laws encounters no obstacle. The long processions of children and youth, which you see this day, issuing by thousands from her free schools, prove the care and anxiety with which a popular government provides for the education and morals of the people. Everywhere there is order; everywhere there is security. Everywhere the law reaches to the highest and reaches to the lowest, to protect all in their rights, and to restrain all from wrong; and over all hovers liberty; that liberty for which our fathers fought and fell on this very spot, with her eye ever watchful, and her eagle wing ever wide outspread.

The colonies of Spain, from their origin to their end, were subject to the sovereign authority of the mother country. Their government, as well as their commerce, was a strict home monopoly. If we add to this the established usage of filling important posts in the administration of the colonies exclusively by natives of Old Spain, thus cutting off for ever all hopes of honorable preferment from every man born in the Western hemisphere, causes enough rise up before us at once to account fully for the subsequent history and character of these provinces. The viceroys and provincial governors of Spain were never at home in their governments in America. They did not feel that they were of the people whom they governed. Their official character and employment have a good deal of resemblance to

those of the proconsuls of Rome, in Asia, Sicily, and Gaul; but obviously no resemblance to those of Carver and Winthrop, and very little to those of the governors of Virginia after that Colony had established a popular House of Burgesses.

The English colonists in America, generally speaking, were men who were seeking new homes in a new world. They brought with them their families and all that was most dear to them. This was especially the case with the colonists of Plymouth and Massachusetts. Many of them were educated men, and all possessed their full share, according to their social condition, of the knowledge and attainments of that age. The distinctive characteristic of their settlement is the introduction of the civilization of Europe into a wilderness, without bringing with it the political institutions of Europe. The arts, sciences, and literature of England came over with the settlers. That great portion of the common law which regulates the social and personal relations and conduct of men, came also. The jury came; the *habeas corpus* came; the testamentary power came; and the law of inheritance and descent came also, except that part of it which recognizes the rights of primogeniture, which either did not come at all, or soon gave way to the rule of equal partition of estates among children. But the monarchy did not come, nor the aristocracy, nor the church, as an estate of the realm. Political institutions were to be framed anew, such as should be adapted to the state of things. But it could not be doubtful what should be the nature and character of these institutions. A general social equality prevailed among the settlers, and an equality of political rights seemed the natural, if not the necessary consequence. After forty years of revolution, violence, and war, the people of France have placed at the head of the fundamental instrument of their government, as the great boon obtained by all their sufferings and sacrifices, the declaration that all Frenchmen are equal before the law. What France has reached only by the expenditure of so much blood and treasure, and the perpetration of so much crime, the English colonists obtained by simply changing their place, carrying with them the intellectual and moral culture of Europe, and the personal and social relations to which they were accustomed, but leaving behind their political institutions. It has been said,

with much vivacity, that the felicity of the American colonists consisted in their escape from the past. This is true so far as respects political establishments, but no further. They brought with them a full portion of all the riches of the past, in science, in art, in morals, religion, and literature. The Bible came with them. And it is not to be doubted, that to the free and universal reading of the Bible, in that age, men were much indebted for right views of civil liberty. The Bible is a book of faith, and a book of doctrine, and a book of morals, and a book of religion, of especial revelation from God; but it is also a book which teaches man his own individual responsibility, his own dignity, and his equality with his fellow-man.

Bacon and Locke, and Shakspeare and Milton, also came with the colonists. It was the object of the first settlers to form new political systems, but all that belonged to cultivated man, to family, to neighborhood, to social relations, accompanied them. In the Doric phrase of one of our own historians, "they came to settle on bare creation"; but their settlement in the wilderness, nevertheless, was not a lodgement of nomadic tribes, a mere resting-place of roaming savages. It was the beginning of a permanent community, the fixed residence of cultivated men. Not only was English literature read, but English, good English, was spoken and written, before the axe had made way to let in the sun upon the habitations and fields of Plymouth and Massachusetts. And whatever may be said to the contrary, a correct use of the English language is, at this day, more general throughout the United States, than it is throughout England herself.

But another grand characteristic is, that, in the English colonies, political affairs were left to be managed by the colonists themselves. This is another fact wholly distinguishing them in character, as it has distinguished them in fortune, from the colonists of Spain. Here lies the foundation of that experience in self-government, which has preserved order, and security, and regularity, amidst the play of popular institutions. Home government was the secret of the prosperity of the North American settlements. The more distinguished of the New England colonists, with a most remarkable sagacity and a long-sighted reach into futurity, refused to come to America unless they could bring with them charters providing for the administration of

their affairs in this country.* They saw from the first the evils of being governed in the New World by a power fixed in the Old. Acknowledging the general superiority of the crown, they still insisted on the right of passing local laws, and of local administration. And history teaches us the justice and the value of this determination in the example of Virginia. The early attempts to settle that Colony failed, sometimes with the most melancholy and fatal consequences, from want of knowledge, care, and attention on the part of those who had the charge of their affairs in England; and it was only after the issuing of the third charter, that its prosperity fairly commenced. The cause was, that by that third charter the people of Virginia, for by this time they deserve to be so called, were allowed to constitute and establish the first popular representative assembly which ever convened on this continent, the Virginia House of Burgesses.

The great elements, then, of the American system of government, originally introduced by the colonists, and which were early in operation, and ready to be developed, more and more, as the progress of events should justify or demand, were, —

Escape from the existing political systems of Europe, including its religious hierarchies, but the continued possession and enjoyment of its science and arts, its literature, and its manners;

Home government, or the power of making in the colony the municipal laws which were to govern it;

Equality of rights;

Representative assemblies, or forms of government founded on popular elections.

Few topics are more inviting, or more fit for philosophical discussion, than the effect on the happiness of mankind of institutions founded upon these principles; or, in other words, the influence of the New World upon the Old.

Her obligations to Europe for science and art, laws, literature, and manners, America acknowledges as she ought, with respect and gratitude. The people of the United States, descendants of the English stock, grateful for the treasures of knowledge de-

* See the "Records of the Company of the Massachusetts Bay in New England," as published in the third volume of the Transactions of the American Antiquarian Society, pp. 47–50.

rived from their English ancestors, admit also, with thanks and filial regard, that among those ancestors, under the culture of Hampden and Sydney and other assiduous friends, that seed of popular liberty first germinated, which on our soil has shot up to its full height, until its branches overshadow all the land.

But America has not failed to make returns. If she has not wholly cancelled the obligation, or equalled it by others of like weight, she has, at least, made respectable advances towards repaying the debt. And she admits, that, standing in the midst of civilized nations, and in a civilized age, a nation among nations, there is a high part which she is expected to act, for the general advancement of human interests and human welfare.

American mines have filled the mints of Europe with the precious metals. The productions of the American soil and climate have poured out their abundance of luxuries for the tables of the rich, and of necessaries for the sustenance of the poor. Birds and animals of beauty and value have been added to the European stocks; and transplantations from the unequalled riches of our forests have mingled themselves profusely with the elms, and ashes, and Druidical oaks of England.

America has made contributions to Europe far more important. Who can estimate the amount, or the value, of the augmentation of the commerce of the world that has resulted from America? Who can imagine to himself what would now be the shock to the Eastern Continent, if the Atlantic were no longer traversable, or if there were no longer American productions, or American markets?

But America exercises influences, or holds out examples, for the consideration of the Old World, of a much higher, because they are of a moral and political character.

America has furnished to Europe proof of the fact, that popular institutions, founded on equality and the principle of representation, are capable of maintaining governments, able to secure the rights of person, property, and reputation.

America has proved that it is practicable to elevate the mass of mankind, — that portion which in Europe is called the laboring, or lower class, — to raise them to self-respect, to make them competent to act a part in the great right and great duty of self-government; and she has proved that this may be done by education and the diffusion of knowledge. She holds out an

example, a thousand times more encouraging than ever was presented before, to those nine tenths of the human race who are born without hereditary fortune or hereditary rank.

America has furnished to the world the character of Washington! And if our American institutions had done nothing else, that alone would have entitled them to the respect of mankind.

Washington! "First in war, first in peace, and first in the hearts of his countrymen!" Washington is all our own! The enthusiastic veneration and regard in which the people of the United States hold him prove them to be worthy of such a countryman; while his reputation abroad reflects the highest honor on his country. I would cheerfully put the question today to the intelligence of Europe and the world, what character of the century, upon the whole, stands out in the relief of history, most pure, most respectable, most sublime; and I doubt not, that, by a suffrage approaching to unanimity, the answer would be Washington!

The structure now standing before us, by its uprightness, its solidity, its durability, is no unfit emblem of his character. His public virtues and public principles were as firm as the earth on which it stands; his personal motives, as pure as the serene heaven in which its summit is lost. But, indeed, though a fit, it is an inadequate emblem. Towering high above the column which our hands have builded, beheld, not by the inhabitants of a single city or a single State, but by all the families of man, ascends the colossal grandeur of the character and life of Washington. In all the constituents of the one, in all the acts of the other, in all its titles to immortal love, admiration, and renown, it is an American production. It is the embodiment and vindication of our Transatlantic liberty. Born upon our soil, of parents also born upon it; never for a moment having had sight of the Old World; instructed, according to the modes of his time, only in the spare, plain, but wholesome elementary knowledge which our institutions provide for the children of the people; growing up beneath and penetrated by the genuine influences of American society; living from infancy to manhood and age amidst our expanding, but not luxurious civilization; partaking in our great destiny of labor, our long contest with unreclaimed nature and uncivilized man, our agony of glory,

the war of Independence, our great victory of peace, the formation of the Union, and the establishment of the Constitution; he is all, all our own! Washington is ours. That crowded and glorious life,

> "Where multitudes of virtues passed along,
> Each pressing foremost, in the mighty throng
> Ambitious to be seen, then making room
> For greater multitudes that were to come,"—

that life was the life of an American citizen.

I claim him for America. In all the perils, in every darkened moment of the state, in the midst of the reproaches of enemies and the misgiving of friends, I turn to that transcendent name for courage and for consolation. To him who denies or doubts whether our fervid liberty can be combined with law, with order, with the security of property, with the pursuits and advancement of happiness; to him who denies that our forms of government are capable of producing exaltation of soul, and the passion of true glory; to him who denies that we have contributed any thing to the stock of great lessons and great examples;—to all these I reply by pointing to Washington!

And now, friends and fellow-citizens, it is time to bring this discourse to a close.

We have indulged in gratifying recollections of the past, in the prosperity and pleasures of the present, and in high hopes for the future. But let us remember that we have duties and obligations to perform, corresponding to the blessings which we enjoy. Let us remember the trust, the sacred trust, attaching to the rich inheritance which we have received from our fathers. Let us feel our personal responsibility, to the full extent of our power and influence, for the preservation of the principles of civil and religious liberty. And let us remember that it is only religion, and morals, and knowledge, that can make men respectable and happy, under any form of government. Let us hold fast the great truth, that communities are responsible, as well as individuals; that no government is respectable, which is not just; that without unspotted purity of public faith, without sacred public principle, fidelity, and honor, no mere forms of government, no machinery of laws, can give dignity to political society. In our day and generation let us seek to raise and im-

prove the moral sentiment, so that we may look, not for a degraded, but for an elevated and improved future. And when both we and our children shall have been consigned to the house appointed for all living, may love of country and pride of country glow with equal fervor among those to whom our names and our blood shall have descended! And then, when honored and decrepit age shall lean against the base of this monument, and troops of ingenuous youth shall be gathered round it, and when the one shall speak to the other of its objects, the purposes of its construction, and the great and glorious events with which it is connected, there shall rise from every youthful breast the ejaculation, "Thank God, I — I also — AM AN AMERICAN!

Note

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The following description of the Bunker Hill Monument and Square is from Mr. Frothingham's History of the Siege of Boston, pp. 355, 356.

"Monument Square is four hundred and seventeen feet from north to south, and four hundred feet from east to west, and contains nearly six acres. It embraces the whole site of the redoubt, and a part of the site of the breastwork. According to the most accurate plan of the town and the battle (Page's), the monument stands where the southwest angle of the redoubt was, and the whole of the redoubt was between the monument and the street that bounds it on the west. The small mound in the northeast corner of the square is supposed to be the remains of the breastwork. Warren fell about two hundred feet west of the monument. An iron fence incloses the square, and another surrounds the monument. The square has entrances on each of its sides, and at each of its corners, and is surrounded by a walk and rows of trees.

"The obelisk is thirty feet in diameter at the base, about fifteen feet at the top of the truncated part, and was designed to be two hundred and twenty feet high; but the mortar and the seams between the stones make the precise height two hundred and twenty-one feet. Within the shaft is a hollow cone, with a spiral stairway winding round it to its summit, which enters a circular chamber at the top. There are ninety courses of stone in the shaft, — six of them below the ground, and eighty-four above the ground. The capstone, or apex, is a single stone, four feet square at the base, and three feet six inches in height, weighing two and a half tons."

Adams and Jefferson

Introductory Note

Since the decease of General Washington, on the 14th of December, 1799, the public mind had never been so powerfully affected in this part of the country by any similar event, as by the death of John Adams, on the 4th of July, 1826. The news reached Boston in the evening of that day. The decease of this venerable fellow-citizen must at all times have appealed with much force to the patriotic sympathies of the people of Massachusetts. It acquired a singular interest from the year and the day on which it took place; — the 4th of July of the year completing the half-century from that ever memorable era in the history of this country and the world, the Declaration of Independence; a measure in which Mr. Adams himself had taken so distinguished a part. The emotions of the public were greatly increased by the indications given by Mr. Adams in his last hours, that he was fully aware that the day was the anniversary of Independence, and by his dying allusion to the supposed fact that his colleague, Jefferson, survived him. When, in the course of a few days, the news arrived from Virginia, that he also had departed this life, on the same day and a few hours before Mr. Adams, the sensibility of the community, as of the country at large, was touched beyond all example. The occurrence was justly deemed without a parallel in history. The various circumstances of association and coincidence which marked the characters and careers of these great men, and especially those of their simultaneous decease on the 4th of July, were dwelt upon with melancholy but untiring interest. The circles of private life, the press, public bodies, and the pulpit, were for some time almost engrossed with the topic; and solemn rites of commemoration were performed throughout the country.

An early day was appointed for this purpose by the City Council of Boston. The whole community manifested its sympathy in the extraordinary event; and on the 2d of August, 1826, at the request of the municipal authorities, and in the presence of an immense audience, the following Discourse was delivered in Faneuil Hall.

Adams and Jefferson*

THIS is an unaccustomed spectacle. For the first time, fellow-citizens, badges of mourning shroud the columns and overhang the arches of this hall. These walls, which were consecrated, so long ago, to the cause of American liberty, which witnessed her infant struggles, and rung with the shouts of her earliest victories, proclaim, now, that distinguished friends and champions of that great cause have fallen. It is right that it should be thus. The tears which flow, and the honors that are paid, when the founders of the republic die, give hope that the republic itself may be immortal. It is fit that, by public assembly and solemn observance, by anthem and by eulogy, we commemorate the services of national benefactors, extol their virtues, and render thanks to God for eminent blessings, early given and long continued, through their agency, to our favored country.

ADAMS and JEFFERSON are no more; and we are assembled, fellow-citizens, the aged, the middle-aged, and the young, by the spontaneous impulse of all, under the authority of the municipal government, with the presence of the chief magistrate of the Commonwealth, and others its official representatives, the University, and the learned societies, to bear our part in those manifestations of respect and gratitude which pervade the whole land. ADAMS and JEFFERSON are no more. On our fiftieth anniversary, the great day of national jubilee, in the very hour of public rejoicing, in the midst of echoing and reëchoing voices of thanksgiving, while their own names were on all tongues, they took their flight together to the world of spirits.

* A Discourse in Commemoration of the Lives and Services of John Adams and Thomas Jefferson, delivered in Faneuil Hall, Boston, on the 2d of August, 1826

If it be true that no one can safely be pronounced happy while he lives, if that event which terminates life can alone crown its honors and its glory, what felicity is here! The great epic of their lives, how happily concluded! Poetry itself has hardly terminated illustrious lives, and finished the career of earthly renown, by such a consummation. If we had the power, we could not wish to reverse this dispensation of the Divine Providence. The great objects of life were accomplished, the drama was ready to be closed. It has closed; our patriots have fallen; but so fallen, at such age, with such coincidence, on such a day, that we cannot rationally lament that that end has come, which we knew could not be long deferred.

Neither of these great men, fellow-citizens, could have died, at any time, without leaving an immense void in our American society. They have been so intimately, and for so long a time, blended with the history of the country, and especially so united, in our thoughts and recollections, with the events of the Revolution, that the death of either would have touched the chords of public sympathy. We should have felt that one great link, connecting us with former times, was broken; that we had lost something more, as it were, of the presence of the Revolution itself, and of the act of independence, and were driven on, by another great remove from the days of our country's early distinction, to meet posterity, and to mix with the future. Like the mariner, whom the currents of the ocean and the winds carry along, till he sees the stars which have directed his course and lighted his pathless way descend, one by one, beneath the rising horizon, we should have felt that the stream of time had borne us onward till another great luminary, whose light had cheered us and whose guidance we had followed, had sunk away from our sight.

But the concurrence of their death on the anniversary of Independence has naturally awakened stronger emotions. Both had been Presidents, both had lived to great age, both were early patriots, and both were distinguished and ever honored by their immediate agency in the act of independence. It cannot but seem striking and extraordinary, that these two should live to see the fiftieth year from the date of that act; that they should complete that year; and that then, on the day which had fast linked for ever their own fame with their country's glory, the

heavens should open to receive them both at once. As their lives themselves were the gifts of Providence, who is not willing to recognize in their happy termination, as well as in their long continuance, proofs that our country and its benefactors are objects of His care?

ADAMS and JEFFERSON, I have said, are no more. As human beings, indeed, they are no more. They are no more, as in 1776, bold and fearless advocates of independence; no more, as at subsequent periods, the head of the government; no more, as we have recently seen them, aged and venerable objects of admiration and regard. They are no more. They are dead. But how little is there of the great and good which can die! To their country they yet live, and live for ever. They live in all that perpetuates the remembrance of men on earth; in the recorded proofs of their own great actions, in the offspring of their intellect, in the deep-engraved lines of public gratitude, and in the respect and homage of mankind. They live in their example; and they live, emphatically, and will live, in the influence which their lives and efforts, their principles and opinions, now exercise, and will continue to exercise, on the affairs of men, not only in their own country, but throughout the civilized world. A superior and commanding human intellect, a truly great man, when Heaven vouchsafes so rare a gift, is not a temporary flame, burning brightly for a while, and then giving place to returning darkness. It is rather a spark of fervent heat, as well as radiant light, with power to enkindle the common mass of human mind; so that when it glimmers in its own decay, and finally goes out in death, no night follows, but it leaves the world all light, all on fire, from the potent contact of its own spirit. Bacon died; but the human understanding, roused by the touch of his miraculous wand to a perception of the true philosophy and the just mode of inquiring after truth, has kept on its course successfully and gloriously. Newton died; yet the courses of the spheres are still known, and they yet move on by the laws which he discovered, and in the orbits which he saw, and described for them, in the infinity of space.

No two men now live, fellow-citizens, perhaps it may be doubted whether any two men have ever lived in one age, who, more than those we now commemorate, have impressed on mankind their own sentiments in regard to politics and government,

infused their own opinions more deeply into the opinions of others, or given a more lasting direction to the current of human thought. Their work doth not perish with them. The tree which they assisted to plant will flourish, although they water it and protect it no longer; for it has struck its roots deep, it has sent them to the very centre; no storm, not of force to burst the orb, can overturn it; its branches spread wide; they stretch their protecting arms broader and broader, and its top is destined to reach the heavens. We are not deceived. There is no delusion here. No age will come in which the American Revolution will appear less than it is, one of the greatest events in human history. No age will come in which it shall cease to be seen and felt, on either continent, that a mighty step, a great advance, not only in American affairs, but in human affairs, was made on the 4th of July, 1776. And no age will come, we trust, so ignorant or so unjust as not to see and acknowledge the efficient agency of those we now honor in producing that momentous event.

We are not assembled, therefore, fellow-citizens, as men overwhelmed with calamity by the sudden disruption of the ties of friendship or affection, or as in despair for the republic by the untimely blighting of its hopes. Death has not surprised us by an unseasonable blow. We have, indeed, seen the tomb close, but it has closed only over mature years, over long-protracted public service, over the weakness of age, and over life itself only when the ends of living had been fulfilled. These suns, as they rose slowly and steadily, amidst clouds and storms, in their ascendant, so they have not rushed from their meridian to sink suddenly in the west. Like the mildness, the serenity, the continuing benignity of a summer's day, they have gone down with slow-descending, grateful, long-lingering light; and now that they are beyond the visible margin of the world, good omens cheer us from "the bright track of their fiery car"!

There were many points of similarity in the lives and fortunes of these great men. They belonged to the same profession, and had pursued its studies and its practice, for unequal lengths of time indeed, but with diligence and effect. Both were learned and able lawyers. They were natives and inhabitants, respectively, of those two of the Colonies which at the Revolution were the largest and most powerful, and which naturally had a lead

in the political affairs of the times. When the Colonies became in some degree united, by the assembling of a general Congress, they were brought to act together in its deliberations, not indeed at the same time, but both at early periods. Each had already manifested his attachment to the cause of the country, as well as his ability to maintain it, by printed addresses, public speeches, extensive correspondence, and whatever other mode could be adopted for the purpose of exposing the encroachments of the British Parliament, and animating the people to a manly resistance. Both were not only decided, but early, friends of Independence. While others yet doubted, they were resolved; where others hesitated, they pressed forward. They were both members of the committee for preparing the Declaration of Independence, and they constituted the sub-committee appointed by the other members to make the draft. They left their seats in Congress, being called to other public employments, at periods not remote from each other, although one of them returned to it afterwards for a short time. Neither of them was of the assembly of great men which formed the present Constitution, and neither was at any time a member of Congress under its provisions. Both have been public ministers abroad, both Vice-Presidents and both Presidents of the United States. These coincidences are now singularly crowned and completed. They have died together; and they died on the anniversary of liberty.

When many of us were last in this place, fellow-citizens, it was on the day of that anniversary. We were met to enjoy the festivities belonging to the occasion, and to manifest our grateful homage to our political fathers. We did not, we could not here, forget our venerable neighbor of Quincy. We knew that we were standing, at a time of high and palmy prosperity, where he had stood in the hour of utmost peril; that we saw nothing but liberty and security, where he had met the frown of power; that we were enjoying every thing, where he had hazarded every thing; and just and sincere plaudits rose to his name, from the crowds which filled this area, and hung over these galleries. He whose grateful duty it was to speak to us,* on that day, of the virtues of our fathers, had, indeed, admonished us that time and years were about to level

* Hon. Josiah Quincy.

his venerable frame with the dust. But he bade us hope that "the sound of a nation's joy, rushing from our cities, ringing from our valleys, echoing from our hills, might yet break the silence of his aged ear; that the rising blessings of grateful millions might yet visit with glad light his decaying vision." Alas! that vision was then closing for ever. Alas! the silence which was then settling on that aged ear was an everlasting silence! For, lo! in the very moment of our festivities, his freed spirit ascended to God who gave it! Human aid and human solace terminate at the grave; or we would gladly have borne him upward, on a nation's outspread hands; we would have accompanied him, and with the blessings of millions and the prayers of millions, commended him to the Divine favor.

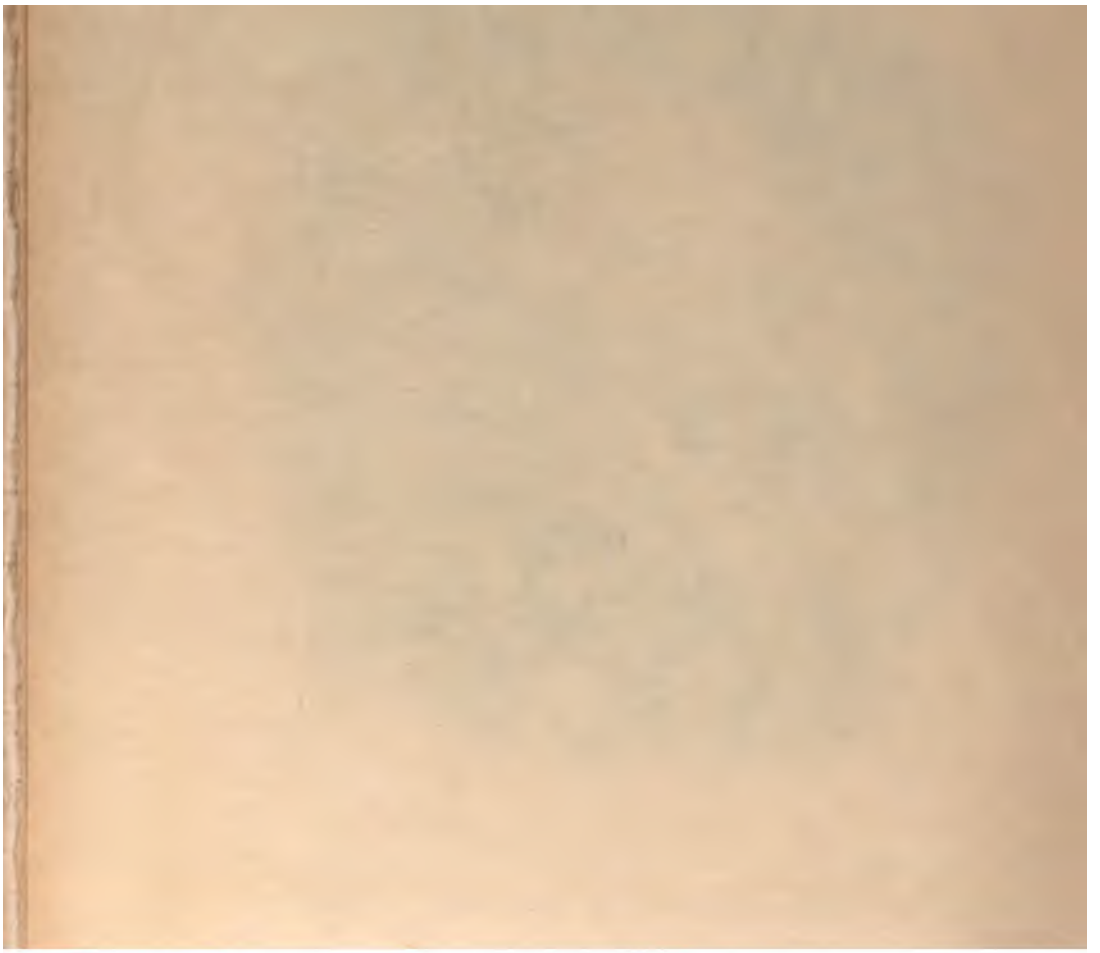
While still indulging our thoughts, on the coincidence of the death of this venerable man with the anniversary of Independence, we learn that Jefferson, too, has fallen; and that these aged patriots, these illustrious fellow-laborers, have left our world together. May not such events raise the suggestion that they are not undesigned, and that Heaven does so order things, as sometimes to attract strongly the attention and excite the thoughts of men? The occurrence has added new interest to our anniversary, and will be remembered in all time to come.

The occasion, fellow-citizens, requires some account of the lives and services of JOHN ADAMS and THOMAS JEFFERSON. This duty must necessarily be performed with great brevity, and in the discharge of it I shall be obliged to confine myself, principally, to those parts of their history and character which belonged to them as public men.

JOHN ADAMS was born at Quincy, then part of the ancient town of Braintree, on the 19th day of October (old style), 1735. He was a descendant of the Puritans, his ancestors having early emigrated from England, and settled in Massachusetts. Discovering in childhood a strong love of reading and of knowledge, together with marks of great strength and activity of mind, proper care was taken by his worthy father to provide for his education. He pursued his youthful studies in Braintree, under Mr. Marsh, a teacher whose fortune it was that Josiah Quincy, Jr., as well as the subject of these remarks, should receive from him his instruction in the rudiments of classical literature.

John Adams

Engraved from the Painting by Gilbert Stuart



Having been admitted, in 1751, a member of Harvard College, Mr. Adams was graduated, in course, in 1755; and on the catalogue of that institution, his name, at the time of his death, was second among the living Alumni, being preceded only by that of the venerable Holyoke. With what degree of reputation he left the University is not now precisely known. We know only that he was distinguished in a class which numbered Locke and Hemmenway among its members. Choosing the law for his profession, he commenced and prosecuted its studies at Worcester, under the direction of Samuel Putnam, a gentleman whom he has himself described as an acute man, an able and learned lawyer, and as being in large professional practice at that time. In 1758 he was admitted to the bar, and entered upon the practice of the law in Braintree. He is understood to have made his first considerable effort, or to have attained his first signal success, at Plymouth, on one of those occasions which furnish the earliest opportunity for distinction to many young men of the profession, a jury trial, and a criminal cause. His business naturally grew with his reputation, and his residence in the vicinity afforded the opportunity, as his growing eminence gave the power, of entering on a larger field of practice in the capital. In 1766 he removed his residence to Boston, still continuing his attendance on the neighboring circuits, and not unfrequently called to remote parts of the Province. In 1770 his professional firmness was brought to a test of some severity, on the application of the British officers and soldiers to undertake their defence, on the trial of the indictments found against them on account of the transactions of the memorable 5th of March. He seems to have thought, on this occasion, that a man can no more abandon the proper duties of his profession, than he can abandon other duties. The event proved, that as he judged well for his own reputation, so, too, he judged well for the interest and permanent fame of his country. The result of that trial proved, that, notwithstanding the high degree of excitement then existing in consequence of the measures of the British government, a jury of Massachusetts would not deprive the most reckless enemies, even the officers of that standing army quartered among them, which they so perfectly abhorred, of any part of that protection which the law, in its mildest and most indulgent interpretation, affords to persons accused of crimes.

Without following Mr. Adams's professional course further, suffice it to say, that on the first establishment of the judicial tribunals under the authority of the State, in 1776, he received an offer of the high and responsible station of Chief Justice of the Supreme Court of Massachusetts. But he was destined for another and a different career. From early life the bent of his mind was toward politics; a propensity which the state of the times, if it did not create, doubtless very much strengthened. Public subjects must have occupied the thoughts and filled up the conversation in the circles in which he then moved; and the interesting questions at that time just arising could not but seize on a mind like his, ardent, sanguine, and patriotic. A letter, fortunately preserved, written by him at Worcester, so early as the 12th of October, 1755, is a proof of very comprehensive views, and uncommon depth of reflection, in a young man not yet quite twenty. In this letter he predicted the transfer of power, and the establishment of a new seat of empire in America; he predicted, also, the increase of population in the Colonies; and anticipated their naval distinction, and foretold that all Europe combined could not subdue them. All this is said, not on a public occasion or for effect, but in the style of sober and friendly correspondence, as the result of his own thoughts. "I sometimes retire," said he, at the close of the letter, "and, laying things together, form some reflections pleasing to myself. The produce of one of these reveries you have read above." * This prognostication so early in his own life, so early in the history of the country, of independence, of vast increase of numbers, of

* Extract of a letter written by John Adams to Nathan Webb, dated at Worcester, Massachusetts, October 12, 1755.

"Soon after the Reformation, a few people came over into this New World, for conscience' sake. Perhaps this apparently trivial incident may transfer the great seat of empire into America. It looks likely to me; for, if we can remove the turbulent Gallics, our people, according to the exactest computations, will, in another century, become more numerous than England itself. Should this be the case, since we have, I may say, all the naval stores of the nation in our hands, it will be easy to obtain a mastery of the seas; and then the united force of all Europe will not be able to subdue us. The only way to keep us from setting up for ourselves is to disunite us.

"Be not surprised that I am turned politician. This whole town is immersed in politics. The interests of nations, and all the *dira* of war, make the subject of every conversation. I sit and hear, and after having been led through a maze of sage observations, I sometimes retire, and, laying things together, form some reflections pleasing to myself. The produce of one of these reveries you have read above."

naval force, of such augmented power as might defy all Europe, is remarkable. It is more remarkable that its author should live to see fulfilled to the letter what could have seemed to others, at the time, but the extravagance of youthful fancy. His earliest political feelings were thus strongly American, and from this ardent attachment to his native soil he never departed.

While still living at Quincy, and at the age of twenty-four, Mr. Adams was present, in this town, at the argument before the Supreme Court respecting *Writs of Assistance*, and heard the celebrated and patriotic speech of James Otis. Unquestionably, that was a masterly performance. No flighty declamation about liberty, no superficial discussion of popular topics, it was a learned, penetrating, convincing, constitutional argument, expressed in a strain of high and resolute patriotism. He grasped the question then pending between England and her Colonies with the strength of a lion; and if he sometimes sported, it was only because the lion himself is sometimes playful. Its success appears to have been as great as its merits, and its impression was widely felt. Mr. Adams himself seems never to have lost the feeling it produced, and to have entertained constantly the fullest conviction of its important effects. "I do say," he observes, "in the most solemn manner, that Mr. Otis's Oration against Writs of Assistance breathed into this nation the breath of life." *

In 1765 Mr. Adams laid before the public, anonymously, a series of essays, afterwards collected in a volume in London, under the title of A Dissertation on the Canon and Feudal Law.† The object of this work was to show that our New England ancestors, in consenting to exile themselves from their native land, were actuated mainly by the desire of delivering themselves from the power of the hierarchy, and from the monarchical and aristocratical systems of the other continent; and to make this truth bear with effect on the politics of the times. Its

* Nearly all that was known of this celebrated argument, at the time the present Discourse was delivered, was derived from the recollections of John Adams, as preserved in Minot's History of Massachusetts, Vol. II. p. 91. See Life and Works of John Adams, Vol. II. p. 124, published in the course of the past year (1850), in the Appendix to which, p. 521, will be found a paper hitherto unpublished, containing notes of the argument of Otis, "which seem to be the foundation of the sketch published by Minot." Tudor's Life of James Otis, p. 61.

† See Life and Works of John Adams, Vol. II. p. 150, Vol. III. p. 447, and North American Review, Vol. LXXI. p. 430.

tone is uncommonly bold and animated for that period. He calls on the people, not only to defend, but to study and understand, their rights and privileges; urges earnestly the necessity of diffusing general knowledge; invokes the clergy and the bar, the colleges and academies, and all others who have the ability and the means to expose the insidious designs of arbitrary power, to resist its approaches, and to be persuaded that there is a settled design on foot to enslave all America. "Be it remembered," says the author, "that liberty must, at all hazards, be supported. We have a right to it, derived from our Maker. But if we had not, our fathers have earned and bought it for us, at the expense of their ease, their estates, their pleasure, and their blood. And liberty cannot be preserved without a general knowledge among the people, who have a right, from the frame of their nature, to knowledge, as their great Creator, who does nothing in vain, has given them understandings and a desire to know. But, besides this, they have a right, an indisputable, unalienable, indefeasible, divine right, to that most dreaded and envied kind of knowledge, I mean of the characters and conduct of their rulers. Rulers are no more than attorneys, agents, and trustees for the people; and if the cause, the interest and trust, is insidiously betrayed, or wantonly trifled away, the people have a right to revoke the authority that they themselves have deputed, and to constitute abler and better agents, attorneys, and trustees."

The citizens of this town conferred on Mr. Adams his first political distinction, and clothed him with his first political trust, by electing him one of their representatives, in 1770. Before this time he had become extensively known throughout the Province, as well by the part he had acted in relation to public affairs, as by the exercise of his professional ability. He was among those who took the deepest interest in the controversy with England, and whether in or out of the legislature, his time and talents were alike devoted to the cause. In the years 1773 and 1774 he was chosen a Councillor by the members of the General Court, but rejected by Governor Hutchinson in the former of those years, and by Governor Gage in the latter.

The time was now at hand, however, when the affairs of the Colonies urgently demanded united counsels throughout the country. An open rupture with the parent state appeared inevitable, and it was but the dictate of prudence that those who

were united by a common interest and a common danger should protect that interest and guard against that danger by united efforts. A general Congress of Delegates from all the Colonies having been proposed and agreed to, the House of Representatives, on the 17th of June, 1774, elected James Bowdoin, Thomas Cushing, Samuel Adams, John Adams, and Robert Treat Paine, delegates from Massachusetts. This appointment was made at Salem, where the General Court had been convened by Governor Gage, in the last hour of the existence of a House of Representatives under the Provincial Charter. While engaged in this important business, the Governor, having been informed of what was passing, sent his secretary with a message dissolving the General Court. The secretary, finding the door locked, directed the messenger to go in and inform the Speaker that the secretary was at the door with a message from the Governor. The messenger returned, and informed the secretary that the orders of the House were that the doors should be kept fast; whereupon the secretary soon after read upon the stairs a proclamation dissolving the General Court. Thus terminated, for ever, the actual exercise of the political power of England in or over Massachusetts. The four last-named delegates accepted their appointments, and took their seats in Congress the first day of its meeting, the 5th of September, 1774, in Philadelphia.

The proceedings of the first Congress are well known, and have been universally admired. It is in vain that we would look for superior proofs of wisdom, talent, and patriotism. Lord Chatham said, that, for himself, he must declare that he had studied and admired the free states of antiquity, the master states of the world, but that for solidity of reasoning, force of sagacity, and wisdom of conclusion, no body of men could stand in preference to this Congress. It is hardly inferior praise to say, that no production of that great man himself can be pronounced superior to several of the papers published as the proceedings of this most able, most firm, most patriotic assembly. There is, indeed, nothing superior to them in the range of political disquisition. They not only embrace, illustrate, and enforce every thing which political philosophy, the love of liberty, and the spirit of free inquiry had antecedently produced, but they add new and striking views of their own, and apply the whole with irresistible force, in support of the cause which had drawn them together.

Mr. Adams was a constant attendant on the deliberations of this body, and bore an active part in its important measures. He was of the committee to state the rights of the Colonies, and of that also which reported the Address to the King.

As it was in the Continental Congress, fellow-citizens, that those whose deaths have given rise to this occasion were first brought together, and called upon to unite their industry and their ability in the service of the country, let us now turn to the other of these distinguished men, and take a brief notice of his life up to the period when he appeared within the walls of Congress.

Thomas Jefferson, descended from ancestors who had been settled in Virginia for some generations, was born near the spot on which he died, in the county of Albemarle, on the 2d of April (old style), 1743. His youthful studies were pursued in the neighborhood of his father's residence until he was removed to the College of William and Mary, the highest honors of which he in due time received. Having left the College with reputation, he applied himself to the study of the law under the tuition of George Wythe, one of the highest judicial names of which that State can boast. At an early age he was elected a member of the legislature, in which he had no sooner appeared than he distinguished himself by knowledge, capacity, and promptitude.

Mr. Jefferson appears to have been imbued with an early love of letters and science, and to have cherished a strong disposition to pursue these objects. To the physical sciences, especially, and to ancient classic literature, he is understood to have had a warm attachment, and never entirely to have lost sight of them in the midst of the busiest occupations. But the times were times for action, rather than for contemplation. The country was to be defended, and to be saved, before it could be enjoyed. Philosophic leisure and literary pursuits, and even the objects of professional attention, were all necessarily postponed to the urgent calls of the public service. The exigency of the country made the same demand on Mr. Jefferson that it made on others who had the ability and the disposition to serve it; and he obeyed the call; thinking and feeling in this respect with the great Roman orator: "Quis enim est tam cupidus in perspicienda cognoscendaque rerum natura, ut, si ei tractanti contemplan-

tique res cognitione dignissimas subito sit allatum periculum discrimenque patriæ, cui subvenire opitularique possit, non illa omnia relinquat atque abjiciat, etiam si dinumerare se stellas, aut metiri mundi magnitudinem posse arbitretur?"*

Entering with all his heart into the cause of liberty, his ability, patriotism, and power with the pen naturally drew upon him a large participation in the most important concerns. Wherever he was, there was found a soul devoted to the cause, power to defend and maintain it, and willingness to incur all its hazards. In 1774 he published a Summary View of the Rights of British America, a valuable production among those intended to show the dangers which threatened the liberties of the country, and to encourage the people in their defence. In June, 1775, he was elected a member of the Continental Congress, as successor to Peyton Randolph, who had resigned his place on account of ill health, and took his seat in that body on the 21st of the same month.

And now, fellow-citizens, without pursuing the biography of these illustrious men further, for the present, let us turn our attention to the most prominent act of their lives, their participation in the DECLARATION OF INDEPENDENCE.

Preparatory to the introduction of that important measure, a committee, at the head of which was Mr. Adams, had reported a resolution, which Congress adopted on the 10th of May, recommending, in substance, to all the Colonies which had not already established governments suited to the exigencies of their affairs, *to adopt such government as would, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and America in general.*

This significant vote was soon followed by the direct proposition which Richard Henry Lee had the honor to submit to Congress, by resolution, on the 7th day of June. The published journal does not expressly state it, but there is no doubt, I suppose, that this resolution was in the same words, when originally submitted by Mr. Lee, as when finally passed. Having been discussed on Saturday, the 8th, and Monday, the 10th of June, this resolution was on the last mentioned day postponed for further consideration to the first day of July; and at the

* Cicero de Officiis, Lib. 1. § 43.

same time it was voted, that a committee be appointed to prepare a Declaration to the effect of the resolution. This committee was elected by ballot, on the following day, and consisted of Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston.

It is usual, when committees are elected by ballot, that their members should be arranged in order, according to the number of votes which each has received. Mr. Jefferson, therefore, had received the highest, and Mr. Adams the next highest number of votes. The difference is said to have been but of a single vote. Mr. Jefferson and Mr. Adams, standing thus at the head of the committee, were requested by the other members to act as a sub-committee to prepare the draft; and Mr. Jefferson drew up the paper. The original draft, as brought by him from his study, and submitted to the other members of the committee, with interlineations in the handwriting of Dr. Franklin, and others in that of Mr. Adams, was in Mr. Jefferson's possession at the time of his death.* The merit of this paper is Mr. Jefferson's. Some changes were made in it at the suggestion of other members of the committee, and others by Congress while it was under discussion. But none of them altered the tone, the frame, the arrangement, or the general character of the instrument. As a composition, the Declaration is Mr. Jefferson's. It is the production of his mind, and the high honor of it belongs to him, clearly and absolutely.

It has sometimes been said, as if it were a derogation from the merits of this paper, that it contains nothing new; that it only states grounds of proceeding, and presses topics of argument, which had often been stated and pressed before. But it was not the object of the Declaration to produce any thing new. It was not to invent reasons for independence, but to state those which governed the Congress. For great and sufficient causes, it was proposed to declare independence; and the proper business of the paper to be drawn was to set forth those causes, and justify the authors of the measure, in any event of fortune, to the country and to posterity. The cause of Ameri-

* A fac-simile of this ever-memorable state paper, as drafted by Mr. Jefferson, with the interlineations alluded to in the text, is contained in Mr. Jefferson's Writings, Vol. I. p. 146. See, also, in reference to the history of the Declaration, the Life and Works of John Adams Vol II. p. 512 *et seq.*

can independence, moreover, was now to be presented to the world in such manner, if it might so be, as to engage its sympathy, to command its respect, to attract its admiration; and in an assembly of most able and distinguished men, THOMAS JEFFERSON had the high honor of being the selected advocate of this cause. To say that he performed his great work well, would be doing him injustice. To say that he did excellently well, admirably well, would be inadequate and halting praise. Let us rather say, that he so discharged the duty assigned him, that all Americans may well rejoice that the work of drawing the title-deed of their liberties devolved upon him.

With all its merits, there are those who have thought that there was one thing in the Declaration to be regretted; and that is, the asperity and apparent anger with which it speaks of the person of the king; the industrious ability with which it accumulates and charges upon him all the injuries which the Colonies had suffered from the mother country. Possibly some degree of injustice, now or hereafter, at home or abroad, may be done to the character of Mr. Jefferson, if this part of the Declaration be not placed in its proper light. Anger or resentment, certainly much less personal reproach and invective, could not properly find place in a composition of such high dignity, and of such lofty and permanent character.

A single reflection on the original ground of dispute between England and the Colonies is sufficient to remove any unfavorable impression in this respect.

The inhabitants of all the Colonies, while Colonies, admitted themselves bound by their allegiance to the king; but they disclaimed altogether the authority of Parliament; holding themselves, in this respect, to resemble the condition of Scotland and Ireland before the respective unions of those kingdoms with England, when they acknowledged allegiance to the same king, but had each its separate legislature. The tie, therefore, which our Revolution was to break did not subsist between us and the British Parliament, or between us and the British government in the aggregate, but directly between us and the king himself. The Colonies had never admitted themselves subject to Parliament. That was precisely the point of the original controversy. They had uniformly denied that Parliament had authority to make laws for them. There was, therefore, no subjection to

Parliament to be thrown off.* But allegiance to the king did exist, and had been uniformly acknowledged; and down to 1775 the most solemn assurances had been given that it was not intended to break that allegiance, or to throw it off. Therefore, as the direct object and only effect of the Declaration, according to the principles on which the controversy had been maintained on our part, were to sever the tie of allegiance which bound us to the king, it was properly and necessarily founded on acts of the crown itself, as its justifying causes. Parliament is not so much as mentioned in the whole instrument. When odious and oppressive acts are referred to, it is done by charging the king with confederating with others "in pretended acts of legislation"; the object being constantly to hold the king himself directly responsible for those measures which were the grounds of separation. Even the precedent of the English Revolution was not overlooked, and in this case, as well as in that, occasion was found to say that the king had *abdicated* the government. Consistency with the principles upon which resistance began, and with all the previous state papers issued by Congress, required that the Declaration should be bottomed on the misgovernment of the king; and therefore it was properly framed with that aim and to that end. The king was known, indeed, to have acted, as in other cases, by his ministers, and with his Parliament; but as our ancestors had never admitted themselves subject either to ministers or to Parliament, there were no reasons to be given for now refusing obedience to their authority. This clear and obvious necessity of founding the Declaration on the misconduct of the king himself, gives to that instrument its personal application, and its character of direct and pointed accusation.

* This question, of the power of Parliament over the Colonies, was discussed with singular ability, by Governor Hutchinson on the one side, and the House of Representatives of Massachusetts on the other, in 1773. The argument of the House is in the form of an answer to the Governor's Message, and was reported by Mr. Samuel Adams, Mr. Hancock, Mr. Hawley, Mr. Bowers, Mr. Hobson, Mr. Foster, Mr. Phillips, and Mr. Thayer. As the power of the Parliament had been acknowledged, so far at least as to affect us by laws of trade, it was not easy to settle the line of distinction. It was thought, however, to be very clear, that the charters of the Colonies had exempted them from the general legislation of the British Parliament. See Massachusetts State Papers, p. 351. The important assistance rendered by John Adams in the preparation of the answer of the House to the Message of the Governor may be learned from the Life and Works of John Adams, Vol. II. p. 311 *et seq.*

The Declaration having been reported to Congress by the committee, the resolution itself was taken up and debated on the first day of July, and again on the second, on which last day it was agreed to and adopted, in these words: —

"*Resolved*, That these united Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved."

Having thus passed the main resolution, Congress proceeded to consider the reported draught of the Declaration. It was discussed on the second, and third, and FOURTH days of the month, in committee of the whole; and on the last of those days, being reported from that committee, it received the final approbation and sanction of Congress. It was ordered, at the same time, that copies be sent to the several States, and that it be proclaimed at the head of the army. The Declaration thus published did not bear the names of the members, for as yet it had not been signed by them. It was authenticated, like other papers of the Congress, by the signatures of the President and Secretary. On the 19th of July, as appears by the secret journal, Congress "*Resolved*, That the Declaration, passed on the fourth, be fairly engrossed on parchment, with the title and style of 'THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA'; and that the same, when engrossed be signed by every member of Congress." And on the SECOND DAY OF AUGUST following, "the Declaration, being engrossed and compared at the table, was signed by the members." So that it happens, fellow-citizens, that we pay these honors to their memory on the anniversary of that day (2d of August) on which these great men actually signed their names to the Declaration. The Declaration was thus made, that is, it passed and was adopted as an act of Congress, on the fourth of July; it was then signed, and certified by the President and Secretary, like other acts. The FOURTH OF JULY, therefore, is the ANNIVERSARY OF THE DECLARATION. But the signatures of the members present were made to it, being then engrossed on parchment, on the second day of August. Absent members signed, as they came in; and indeed it bears the names of some who were not chosen members of Congress until after the 4th of July. The in-

est belonging to the subject will be sufficient, I hope, to justify these details.*

The Congress of the Revolution, fellow-citizens, sat with closed doors, and no report of its debates was ever made. The discussion, therefore, which accompanied this great measure, has never been preserved, except in memory and by tradition. But it is, I believe, doing no injustice to others to say, that the general opinion was, and uniformly has been, that in debate, on the side of independence, JOHN ADAMS had no equal. The great author of the Declaration himself has expressed that opinion uniformly and strongly. "JOHN ADAMS," said he, in the hearing of him who has now the honor to address you, "JOHN ADAMS was our colossus on the floor. Not graceful, not elegant, not always fluent, in his public addresses, he yet came out with a power, both of thought and of expression, which moved us from our seats."

For the part which he was here to perform, Mr. Adams doubtless was eminently fitted. He possessed a bold spirit, which disregarded danger, and a sanguine reliance on the goodness of the cause, and the virtues of the people, which led him to overlook all obstacles. His character, too, had been formed in troubled times. He had been rocked in the early storms of the controversy, and had acquired a decision and a hardihood proportioned to the severity of the discipline which he had undergone.

He not only loved the American cause devoutly, but had studied and understood it. It was all familiar to him. He had tried his powers on the questions which it involved, often and in various ways; and had brought to their consideration whatever of argument or illustration the history of his own country, the history of England, or the stores of ancient or of legal learning could furnish. Every grievance enumerated in the long catalogue of the Declaration had been the subject of his discussion, and the object of his remonstrance and reprobation. From 1760, the Colonies, the rights of the Colonies, the liberties of the Colonies, and the wrongs inflicted on the Colonies, had engaged his constant attention; and it has surprised those who have had the opportunity of witnessing it, with what full remem-

* The official copy of the Declaration, as engrossed and signed by the members of Congress, is framed and preserved in the Hall over the Patent-Office at Washington.

brance and with what prompt recollection he could refer, in his extreme old age, to every act of Parliament affecting the Colonies, distinguishing and stating their respective titles, sections, and provisions; and to all the Colonial memorials, remonstrances, and petitions, with whatever else belonged to the intimate and exact history of the times from that year to 1775. It was, in his own judgment, between these years that the American people came to a full understanding and thorough knowledge of their rights, and to a fixed resolution of maintaining them; and bearing himself an active part in all important transactions, the controversy with England being then in effect the business of his life, facts, dates, and particulars made an impression which was never effaced. He was prepared, therefore, by education and discipline, as well as by natural talent and natural temperament, for the part which he was now to act.

The eloquence of Mr. Adams resembled his general character, and formed, indeed, a part of it. It was bold, manly, and energetic; and such the crisis required. When public bodies are to be addressed on momentous occasions, when great interests are at stake, and strong passions excited, nothing is valuable in speech farther than as it is connected with high intellectual and moral endowments. Clearness, force, and earnestness are the qualities which produce conviction. True eloquence, indeed, does not consist in speech. It cannot be brought from far. Labor and learning may toil for it, but they will toil in vain. Words and phrases may be marshalled in every way, but they cannot compass it. It must exist in the man, in the subject, and in the occasion. Affected passion, intense expression, the pomp of declamation, all may aspire to it; they cannot reach it. It comes, if it come at all, like the outbreaking of a fountain from the earth, or the bursting forth of volcanic fires, with spontaneous, original, native force. The graces taught in the schools, the costly ornaments and studied contrivances of speech, shock and disgust men, when their own lives, and the fate of their wives, their children, and their country, hang on the decision of the hour. Then words have lost their power, rhetoric is vain, and all elaborate oratory contemptible. Even genius itself then feels rebuked and subdued, as in the presence of higher qualities. Then patriotism is eloquent; then self-devotion is eloquent. The clear conception, outrunning the deductions of

logic, the high purpose, the firm resolve, the dauntless spirit, speaking on the tongue, beaming from the eye, informing every feature, and urging the whole man onward, right onward to his object, — this, this is eloquence; or rather it is something greater and higher than all eloquence, it is action, noble, sublime, godlike action.

In July, 1776, the controversy had passed the stage of argument. An appeal had been made to force, and opposing armies were in the field. Congress, then, was to decide whether the tie which had so long bound us to the parent state was to be severed at once, and severed for ever. All the Colonies had signified their resolution to abide by this decision, and the people looked for it with the most intense anxiety. And surely, fellow-citizens, never, never were men called to a more important political deliberation. If we contemplate it from the point where they then stood, no question could be more full of interest; if we look at it now, and judge of its importance by its effects, it appears of still greater magnitude.

Let us, then, bring before us the assembly, which was about to decide a question thus big with the fate of empire. Let us open their doors and look in upon their deliberations. Let us survey the anxious and care-worn countenances, let us hear the firm-toned voices, of this band of patriots.

Hancock presides over the solemn sitting; and one of those not yet prepared to pronounce for absolute independence is on the floor, and is urging his reasons for dissenting from the declaration.

"Let us pause! This step, once taken, cannot be retraced. This resolution, once passed, will cut off all hope of reconciliation. If success attend the arms of England, we shall then be no longer Colonies, with charters and with privileges; these will all be forfeited by this act; and we shall be in the condition of other conquered people, at the mercy of the conquerors. For ourselves, we may be ready to run the hazard; but are we ready to carry the country to that length? Is success so probable as to justify it? Where is the military, where the naval power, by which we are to resist the whole strength of the arm of England, for she will exert that strength to the utmost? Can we rely on the constancy and perseverance of the people? or will they not act as the people of other countries have acted,

and, wearied with a long war, submit, in the end, to a worse oppression? While we stand on our old ground, and insist on redress of grievances, we know we are right, and are not answerable for consequences. Nothing, then, can be imputed to us. But if we now change our object, carry our pretensions farther, and set up for absolute independence, we shall lose the sympathy of mankind. We shall no longer be defending what we possess, but struggling for something which we never did possess, and which we have solemnly and uniformly disclaimed all intention of pursuing, from the very outset of the troubles. Abandoning thus our old ground, of resistance only to arbitrary acts of oppression, the nations will believe the whole to have been mere pretence, and they will look on us, not as injured, but as ambitious subjects. I shudder before this responsibility. It will be on us, if, relinquishing the ground on which we have stood so long, and stood so safely, we now proclaim independence, and carry on the war for that object, while these cities burn, these pleasant fields whiten and bleach with the bones of their owners, and these streams run blood. It will be upon us, it will be upon us, if, failing to maintain this unseasonable and ill-judged declaration, a sterner despotism, maintained by military power, shall be established over our posterity, when we ourselves, given up by an exhausted, a harassed, a misled people, shall have expiated our rashness and atoned for our presumption on the scaffold."

It was for Mr. Adams to reply to arguments like these. We know his opinions, and we know his character. He would commence with his accustomed directness and earnestness.

"Sink or swim, live or die, survive or perish, I give my hand and my heart to this vote. It is true, indeed, that in the beginning we aimed not at independence. But there's a Divinity which shapes our ends. The injustice of England has driven us to arms; and, blinded to her own interest for our good, she has obstinately persisted, till independence is now within our grasp. We have but to reach forth to it, and it is ours. Why, then, should we defer the Declaration? Is any man so weak as now to hope for a reconciliation with England, which shall leave either safety to the country and its liberties, or safety to his own life and his own honor? Are not you, Sir, who sit in that chair, is not he, our venerable colleague near you, are you not both

already the proscribed and predestined objects of punishment and of vengeance? Cut off from all hope of royal clemency, what are you, what can you be, while the power of England remains, but outlaws? If we postpone independence, do we mean to carry on, or to give up, the war? Do we mean to submit to the measures of Parliament, Boston Port Bill and all? Do we mean to submit, and consent that we ourselves shall be ground to powder, and our country and its rights trodden down in the dust? I know we do not mean to submit. We never shall submit. Do we intend to violate that most solemn obligation ever entered into by men, that plighting, before God, of our sacred honor to Washington, when, putting him forth to incur the dangers of war, as well as the political hazards of the times, we promised to adhere to him, in every extremity, with our fortunes and our lives? I know there is not a man here, who would not rather see a general conflagration sweep over the land, or an earthquake sink it, than one jot or tittle of that plighted faith fall to the ground. For myself, having, twelve months ago, in this place, moved you, that George Washington be appointed commander of the forces raised, or to be raised, for defence of American liberty,* may my right hand forget her cunning, and my tongue cleave to the roof of my mouth, if I hesitate or waver in the support I give him.

"The war, then, must go on. We must fight it through. And if the war must go on, why put off longer the Declaration of Independence? That measure will strengthen us. It will give us character abroad. The nations will then treat with us, which they never can do while we acknowledge ourselves subjects, in arms against our sovereign. Nay, I maintain that England herself will sooner treat for peace with us on the footing of independence, than consent, by repealing her acts, to acknowledge that her whole conduct towards us has been a course of injustice and oppression. Her pride will be less wounded by submitting to that course of things which now predestinates our independence, than by yielding the points in controversy to her rebellious subjects. The former she would regard as the result of fortune; the latter she would feel as her own deep disgrace. Why, then, why then, Sir, do we not as soon as possible change this from

* See Life and Works of John Adams, Vol. II. p. 417 *et seq.*

a civil to a national war? And since we must fight it through, why not put ourselves in a state to enjoy all the benefits of victory, if we gain the victory?

"If we fail, it can be no worse for us. But we shall not fail. The cause will raise up armies; the cause will create navies. The people, the people, if we are true to them, will carry us, and will carry themselves, gloriously, through this struggle. I care not how fickle other people have been found. I know the people of these Colonies, and I know that resistance to British aggression is deep and settled in their hearts and cannot be eradicated. Every Colony, indeed, has expressed its willingness to follow, if we but take the lead. Sir, the Declaration will inspire the people with increased courage. Instead of a long and bloody war for the restoration of privileges, for redress of grievances, for chartered immunities, held under a British king, set before them the glorious object of entire independence, and it will breathe into them anew the breath of life. Read this Declaration at the head of the army; every sword will be drawn from its scabbard, and the solemn vow uttered, to maintain it, or to perish on the bed of honor. Publish it from the pulpit; religion will approve it, and the love of religious liberty will cling round it, resolved to stand with it, or fall with it. Send it to the public halls; proclaim it there; let them hear it who heard the first roar of the enemy's cannon; let them see it who saw their brothers and their sons fall on the field of Bunker Hill, and in the streets of Lexington and Concord, and the very walls will cry out in its support.

"Sir, I know the uncertainty of human affairs, but I see, I see clearly, through this day's business. You and I, indeed, may rue it. We may not live to the time when this Declaration shall be made good. We may die; die colonists; die slaves; die, it may be, ignominiously and on the scaffold. Be it so. Be it so. If it be the pleasure of Heaven that my country shall require the poor offering of my life, the victim shall be ready, at the appointed hour of sacrifice, come when that hour may. But while I do live, let me have a country, or at least the hope of a country, and that a free country.

"But whatever may be our fate, be assured, be assured that this Declaration will stand. It may cost treasure, and it may cost blood; but it will stand, and it will richly compensate for

both. Through the thick gloom of the present, I see the brightness of the future, as the sun in heaven. We shall make this a glorious, an immortal day. When we are in our graves, our children will honor it. They will celebrate it with thanksgiving, with festivity, with bonfires, and illuminations. On its annual return they will shed tears, copious, gushing tears, not of subjection and slavery, not of agony and distress, but of exultation, of gratitude, and of joy. Sir, before God, I believe the hour is come. My judgment approves this measure, and my whole heart is in it. All that I have, and all that I am, and all that I hope, in this life, I am now ready here to stake upon it; and I leave off as I begun, that live or die, survive or perish, I am for the Declaration. It is my living sentiment, and by the blessing of God it shall be my dying sentiment, Independence, *now*, and INDEPENDENCE FOR EVER."*

And so that day shall be honored, illustrious prophet and patriot! so that day shall be honored, and as often as it returns, thy renown shall come along with it, and the glory of thy life, like the day of thy death, shall not fail from the remembrance of men.

It would be unjust, fellow-citizens, on this occasion, while we express our veneration for him who is the immediate subject of these remarks, were we to omit a most respectful, affectionate, and grateful mention of those other great men, his colleagues, who stood with him, and with the same spirit, the same devotion, took part in the interesting transaction. HANCOCK, the proscribed HANCOCK, exiled from his home by a military governor, cut off by proclamation from the mercy of the crown, — Heaven reserved for him the distinguished honor of putting this great question to the vote, and of writing his own name first, and most conspicuously, on that parchment which spoke defiance to the power of the crown of England. There, too, is the name of that other proscribed patriot, SAMUEL ADAMS, a man who hungered and thirsted for the independence of his country; who thought the Declaration halted and lingered, being himself not only ready, but eager, for it, long before it was proposed; a man of the deepest sagacity, the clearest foresight, and the pro-

* On the authorship of this speech, see Note at the end of the Discourse.

foundest judgment in men. And there is GERRY, himself among the earliest and the foremost of the patriots, found, when the battle of Lexington summoned them to common counsels, by the side of WARREN; a man who lived to serve his country at home and abroad, and to die in the second place in the government. There, too, is the inflexible, the upright, the Spartan character, ROBERT TREAT PAINE. He also lived to serve his country through the struggle, and then withdrew from her councils, only that he might give his labors and his life to his native State, in another relation. These names, fellow-citizens, are the treasures of the Commonwealth; and they are treasures which grow brighter by time.

It is now necessary to resume the narrative, and to finish with great brevity the notice of the lives of those whose virtues and services we have met to commemorate.

Mr. Adams remained in Congress from its first meeting till November, 1777, when he was appointed Minister to France. He proceeded on that service in the February following, embarking in the frigate Boston, from the shore of his native town, at the foot of Mount Wollaston. The year following, he was appointed commissioner to treat of peace with England. Returning to the United States, he was a delegate from Braintree in the Convention for framing the Constitution of this Commonwealth, in 1780.* At the latter end of the same year, he again went abroad in the diplomatic service of the country, and was employed at various courts, and occupied with various negotiations, until 1788. The particulars of these interesting and important services this occasion does not allow time to relate. In 1782 he concluded our first treaty with Holland. His negotiations with that republic, his efforts to persuade the States-General to recognize our independence, his incessant and indefatigable exertions to represent the American cause favorably on the Continent, and to counteract the designs of its enemies, open and secret, and his successful undertaking to obtain loans, on the credit of a nation yet new and unknown, are among his most arduous, most useful, most honorable services. It was his fortune to bear a part in the negotiation for peace with

* In this Convention he served as chairman of the committee for preparing the draft of a Constitution.

England, and in something more than six years from the Declaration which he had so strenuously supported, he had the satisfaction of seeing the minister plenipotentiary of the crown subscribe his name to the instrument which declared that his "Britannic Majesty acknowledged the United States to be free, sovereign, and independent." In these important transactions, Mr. Adams's conduct received the marked approbation of Congress and of the country.

While abroad, in 1787, he published his Defence of the American Constitutions; a work of merit and ability, though composed with haste, on the spur of a particular occasion, in the midst of other occupations, and under circumstances not admitting of careful revision. The immediate object of the work was to counteract the weight of opinions advanced by several popular European writers of that day, M. Turgot, the Abbé de Mably, and Dr. Price, at a time when the people of the United States were employed in forming and revising their systems of government.

Returning to the United States in 1788, he found the new government about going into operation, and was himself elected the first Vice-President, a situation which he filled with reputation for eight years, at the expiration of which he was raised to the Presidential chair, as immediate successor to the immortal Washington. In this high station he was succeeded by Mr. Jefferson, after a memorable controversy between their respective friends, in 1801; and from that period his manner of life has been known to all who hear me. He has lived, for five-and-twenty years, with every enjoyment that could render old age happy. Not inattentive to the occurrences of the times, political cares have yet not materially, or for any long time, disturbed his repose. In 1820 he acted as elector of President and Vice-President, and in the same year we saw him, then at the age of eighty-five, a member of the Convention of this Commonwealth called to revise the Constitution. Forty years before, he had been one of those who formed that Constitution; and he had now the pleasure of witnessing that there was little which the people desired to change.* Possessing all his faculties to the

* Upon the organization of this body, 15th November, 1820, John Adams was elected its President; an office which the infirmities of age compelled him to decline. For the interesting proceedings of the Convention on this occasion,

end of his long life, with an unabated love of reading and contemplation, in the centre of interesting circles of friendship and affection, he was blessed in his retirement with whatever of repose and felicity the condition of man allows. He had, also, other enjoyments. He saw around him that prosperity and general happiness which had been the object of his public cares and labors. No man ever beheld more clearly, and for a longer time, the great and beneficial effects of the services rendered by himself to his country. That liberty which he so early defended, that independence of which he was so able an advocate and supporter, he saw, we trust, firmly and securely established. The population of the country thickened around him faster, and extended wider, than his own sanguine predictions had anticipated; and the wealth, respectability, and power of the nation sprang up to a magnitude which it is quite impossible he could have expected to witness in his day. He lived also to behold those principles of civil freedom which had been developed, established, and practically applied in America, attract attention, command respect, and awaken imitation, in other regions of the globe; and well might, and well did, he exclaim, "Where will the consequences of the American Revolution end?"

If any thing yet remain to fill this cup of happiness, let it be added, that he lived to see a great and intelligent people bestow the highest honor in their gift where he had bestowed his own kindest parental affections and lodged his fondest hopes. Thus honored in life, thus happy at death, he saw the JUBILEE, and he died; and with the last prayers which trembled on his lips was the fervent supplication for his country, "Independence for ever!"*

Mr. Jefferson, having been occupied in the years 1778 and 1779 in the important service of revising the laws of Virginia, was elected Governor of that State, as successor to Patrick Henry, and held the situation when the State was invaded by the British arms. In 1781 he published his Notes on Virginia, a work which attracted attention in Europe as well as America,

the address of Chief Justice Parker, and the reply of Mr. Adams, see Journal of Debates and Proceedings in the Convention of Delegates chosen to revise the Constitution of Massachusetts, p. 8 *et seq.*

* For an account of Mr. Webster's last interview with Mr. Adams, see March's Reminiscences of Congress, p. 62.

dispelled many misconceptions respecting this continent, and gave its author a place among men distinguished for science. In November, 1783, he again took his seat in the Continental Congress, but in the May following was appointed Minister Plenipotentiary, to act abroad, in the negotiation of commercial treaties, with Dr. Franklin and Mr. Adams. He proceeded to France in execution of this mission, embarking at Boston; and that was the only occasion on which he ever visited this place. In 1785 he was appointed Minister to France, the duties of which situation he continued to perform until October, 1789 when he obtained leave to retire, just on the eve of that tremendous revolution which has so much agitated the world in our times. Mr. Jefferson's discharge of his diplomatic duties was marked by great ability, diligence, and patriotism; and while he resided at Paris, in one of the most interesting periods, his character for intelligence, his love of knowledge and of the society of learned men, distinguished him in the highest circles of the French capital. No court in Europe had at that time in Paris a representative commanding or enjoying higher regard, for political knowledge or for general attainments, than the minister of this then infant republic. Immediately on his return to his native country, at the organization of the government under the present Constitution, his talents and experience recommended him to President Washington for the first office in his gift. He was placed at the head of the Department of State. In this situation, also, he manifested conspicuous ability. His correspondence with the ministers of other powers residing here, and his instructions to our own diplomatic agents abroad, are among our ablest state papers. A thorough knowledge of the laws and usages of nations, perfect acquaintance with the immediate subject before him, great felicity, and still greater facility, in writing, show themselves in whatever effort his official situation called on him to make. It is believed by competent judges, that the diplomatic intercourse of the government of the United States, from the first meeting of the Continental Congress in 1774 to the present time, taken together, would not suffer, in respect to the talent with which it has been conducted, by comparison with any thing which other and older governments can produce; and to the attainment of this respectability and distinction Mr. Jefferson has contributed his full part.

On the retirement of General Washington from the Presidency, and the election of Mr. Adams to that office in 1797, he was chosen Vice-President. While presiding in this capacity over the deliberations of the Senate, he compiled and published a Manual of Parliamentary Practice, a work of more labor and more merit than is indicated by its size. It is now received as the general standard by which proceedings are regulated, not only in both Houses of Congress, but in most of the other legislative bodies in the country. In 1801 he was elected President, in opposition to Mr. Adams, and reëlected in 1805, by a vote approaching towards unanimity.

From the time of his final retirement from public life, in 1808, Mr. Jefferson lived as became a wise man. Surrounded by affectionate friends, his ardor in the pursuit of knowledge undiminished, with uncommon health and unbroken spirits, he was able to enjoy largely the rational pleasures of life, and to partake in that public prosperity which he had so much contributed to produce. His kindness and hospitality, the charm of his conversation, the ease of his manners, the extent of his acquirements, and, especially, the full store of Revolutionary incidents which he had treasured in his memory, and which he knew when and how to dispense, rendered his abode in a high degree attractive to his admiring countrymen, while his high public and scientific character drew towards him every intelligent and educated traveller from abroad. Both Mr. Adams and Mr. Jefferson had the pleasure of knowing that the respect which they so largely received was not paid to their official stations. They were not men made great by office; but great men, on whom the country for its own benefit had conferred office. There was that in them which office did not give, and which the relinquishment of office did not, and could not, take away. In their retirement, in the midst of their fellow-citizens, themselves private citizens, they enjoyed as high regard and esteem as when filling the most important places of public trust.

There remained to Mr. Jefferson yet one other work of patriotism and beneficence, the establishment of a university in his native State. To this object he devoted years of incessant and anxious attention, and by the enlightened liberality of the Legislature of Virginia, and the coöperation of other able and zealous friends, he lived to see it accomplished. May all success attend

this infant seminary; and may those who enjoy its advantages, as often as their eyes shall rest on the neighboring height, recollect what they owe to their disinterested and indefatigable benefactor; and may letters honor him who thus labored in the cause of letters!*

Thus useful, and thus respected, passed the old age of Thomas Jefferson. But time was on its ever-ceaseless wing, and was now bringing the last hour of this illustrious man. He saw its approach with undisturbed serenity. He counted the moments as they passed, and beheld that his last sands were falling. That day, too, was at hand which he had helped to make immortal. One wish, one hope, if it were not presumptuous, beat in his fainting breast. Could it be so, might it please God, he would desire once more to see the sun, once more to look abroad on the scene around him, on the great day of liberty. Heaven, in its mercy, fulfilled that prayer. He saw that sun, he enjoyed its sacred light, he thanked God for this mercy, and bowed his aged head to the grave. "Felix, non vitæ tantum claritate, sed etiam opportunitate mortis."

The last public labor of Mr. Jefferson naturally suggests the expression of the high praise which is due, both to him and to Mr. Adams, for their uniform and zealous attachment to learning, and to the cause of general knowledge. Of the advantages of learning, indeed, and of literary accomplishments, their own characters were striking recommendations and illustrations. They were scholars, ripe and good scholars; widely acquainted with ancient, as well as modern literature, and not altogether uninstructed in the deeper sciences. Their acquirements, doubtless, were different, and so were the particular objects of their literary pursuits; as their tastes and characters, in these respects, differed like those of other men. Being, also, men of busy lives, with great objects requiring action constantly before them, their attainments in letters did not become showy or obtrusive. Yet I would hazard the opinion, that, if we could now

* Mr. Jefferson himself considered his services in establishing the University of Virginia as among the most important rendered by him to the country. In Mr. Wirt's Eulogy, it is stated that a private memorandum was found among his papers, containing the following inscription to be placed on his monument: — "Here was buried Thomas Jefferson, Author of the Declaration of Independence, of the Statutes of Virginia for Religious Freedom, and Father of the University of Virginia." Eulogies on Adams and Jefferson, p. 426.

ascertain all the causes which gave them eminence and distinction in the midst of the great men with whom they acted, we should find not among the least their early acquisitions in literature, the resources which it furnished, the promptitude and facility which it communicated, and the wide field it opened for analogy and illustration; giving them thus, on every subject, a larger view and a broader range, as well for discussion as for the government of their own conduct.

Literature sometimes disgusts, and pretension to it much oftener disgusts, by appearing to hang loosely on the character, like something foreign or extraneous, not a part, but an ill-adjusted appendage; or by seeming to overload and weigh it down by its unsightly bulk, like the productions of bad taste in architecture, where there is massy and cumbrous ornament without strength or solidity of column. This has exposed learning, and especially classical learning, to reproach. Men have seen that it might exist without mental superiority, without vigor, without good taste, and without utility. But in such cases classical learning has only not inspired natural talent; or, at most, it has but made original feebleness of intellect, and natural bluntness of perception, something more conspicuous. The question, after all, if it be a question, is, whether literature, ancient as well as modern, does not assist a good understanding, improve natural good taste, add polished armor to native strength, and render its possessor, not only more capable of deriving private happiness from contemplation and reflection, but more accomplished also for action in the affairs of life, and especially for public action. Those whose memories we now honor were learned men; but their learning was kept in its proper place, and made subservient to the uses and objects of life. They were scholars, not common nor superficial; but their scholarship was so in keeping with their character, so blended and inwrought, that careless observers, or bad judges, not seeing an ostentatious display of it, might infer that it did not exist; forgetting, or not knowing, that classical learning in men who act in conspicuous public stations, perform duties which exercise the faculty of writing, or address popular, deliberative, or judicial bodies, is often felt where it is little seen, and sometimes felt more effectually because it is not seen at all.

But the cause of knowledge, in a more enlarged sense, the

cause of general knowledge and of popular education, had no warmer friends, nor more powerful advocates, than Mr. Adams and Mr. Jefferson. On this foundation they knew the whole republican system rested; and this great and all-important truth they strove to impress, by all the means in their power. In the early publication already referred to, Mr. Adams expresses the strong and just sentiment, that the education of the poor is more important, even to the rich themselves, than all their own riches. On this great truth, indeed, is founded that unrivalled, that invaluable political and moral institution, our own blessing and the glory of our fathers, the New England system of free schools.

As the promotion of knowledge had been the object of their regard through life, so these great men made it the subject of their testamentary bounty. Mr. Jefferson is understood to have bequeathed his library to the University of Virginia, and that of Mr. Adams is bestowed on the inhabitants of Quincy.

Mr. Adams and Mr. Jefferson, fellow-citizens, were successively Presidents of the United States. The comparative merits of their respective administrations for a long time agitated and divided public opinion. They were rivals, each supported by numerous and powerful portions of the people, for the highest office. This contest, partly the cause and partly the consequence of the long existence of two great political parties in the country, is now part of the history of our government. We may naturally regret that any thing should have occurred to create difference and discord between those who had acted harmoniously and efficiently in the great concerns of the Revolution. But this is not the time, nor this the occasion, for entering into the grounds of that difference, or for attempting to discuss the merits of the questions which it involves. As practical questions, they were canvassed when the measures which they regarded were acted on and adopted; and as belonging to history, the time has not come for their consideration.

It is, perhaps, not wonderful, that, when the Constitution of the United States first went into operation, different opinions should be entertained as to the extent of the powers conferred by it. Here was a natural source of diversity of sentiment. It is still less wonderful, that that event, nearly contemporary with our government under the present Constitution, which so en-

tirely shocked all Europe, and disturbed our relations with her leading powers, should be thought, by different men, to have different bearings on our own prosperity; and that the early measures adopted by the government of the United States, in consequence of this new state of things, should be seen in opposite lights. It is for the future historian, when what now remains of prejudice and misconception shall have passed away, to state these different opinions, and pronounce impartial judgment. In the mean time, all good men rejoice, and well may rejoice, that the sharpest differences sprung out of measures which, whether right or wrong, have ceased with the exigencies that gave them birth, and have left no permanent effect, either on the Constitution or on the general prosperity of the country. This remark, I am aware, may be supposed to have its exception in one measure, the alteration of the Constitution as to the mode of choosing President; but it is true in its general application. Thus the course of policy pursued towards France in 1798, on the one hand, and the measures of commercial restriction commenced in 1807, on the other, both subjects of warm and severe opposition, have passed away and left nothing behind them. They were temporary, and whether wise or unwise, their consequences were limited to their respective occasions. It is equally clear, at the same time, and it is equally gratifying, that those measures of both administrations which were of durable importance, and which drew after them momentous and long remaining consequences, have received general approbation. Such was the organization, or rather the creation, of the navy, in the administration of Mr. Adams; such the acquisition of Louisiana, in that of Mr. Jefferson. The country, it may safely be added, is not likely to be willing either to approve, or to reprobate, indiscriminately, and in the aggregate, all the measures of either, or of any, administration. The dictate of reason and of justice is, that, holding each one his own sentiments on the points of difference, we imitate the great men themselves in the forbearance and moderation which they have cherished, and in the mutual respect and kindness which they have been so much inclined to feel and to reciprocate.

No men, fellow-citizens, ever served their country with more entire exemption from every imputation of selfish and mercenary motives, than those to whose memory we are paying these proofs

of respect. A suspicion of any disposition to enrich themselves, or to profit by their public employments, never rested on either. No sordid motive approached them. The inheritance which they have left to their children is of their character and their fame.

Fellow-citizens, I will detain you no longer by this faint and feeble tribute to the memory of the illustrious dead. Even in other hands, adequate justice could not be done to them, within the limits of this occasion. Their highest, their best praise, is your deep conviction of their merits, your affectionate gratitude for their labors and their services. It is not my voice, it is this cessation of ordinary pursuits, this arresting of all attention, these solemn ceremonies, and this crowded house, which speak their eulogy. Their fame, indeed, is safe. That is now treasured up beyond the reach of accident. Although no sculptured marble should rise to their memory, nor engraved stone bear record of their deeds, yet will their remembrance be as lasting as the land they honored. Marble columns may, indeed, moulder into dust, time may erase all impress from the crumbling stone, but their fame remains; for with AMERICAN LIBERTY it rose, and with AMERICAN LIBERTY ONLY can it perish. It was the last swelling peal of yonder choir, "THEIR BODIES ARE BURIED IN PEACE, BUT THEIR NAME LIVETH EVERMORE." I catch that solemn song, I echo that lofty strain of funeral triumph, "THEIR NAME LIVETH EVERMORE."

Of the illustrious signers of the Declaration of Independence there now remains only CHARLES CARROLL. He seems an aged oak, standing alone on the plain, which time has spared a little longer after all its contemporaries have been levelled with the dust. Venerable object! we delight to gather round its trunk, while yet it stands, and to dwell beneath its shadow. Sole survivor of an assembly of as great men as the world has witnessed, in a transaction one of the most important that history records, what thoughts, what interesting reflections, must fill his elevated and devout soul! If he dwell on the past, how touching its recollections; if he survey the present, how happy, how joyous, how full of the fruition of that hope, which his ardent patriotism indulged; if he glance at the future, how does the prospect of his country's advancement almost bewilder his weakened conception!

Fortunate, distinguished patriot! Interesting relic of the past! Let him know that, while we honor the dead, we do not forget the living; and that there is not a heart here which does not fervently pray, that Heaven may keep him yet back from the society of his companions.

And now, fellow-citizens, let us not retire from this occasion without a deep and solemn conviction of the duties which have devolved upon us. This lovely land, this glorious liberty, these benign institutions, the dear purchase of our fathers, are ours; ours to enjoy, ours to preserve, ours to transmit. Generations past and generations to come hold us responsible for this sacred trust. Our fathers, from behind, admonish us, with their anxious paternal voices; posterity calls out to us, from the bosom of the future; the world turns hither its solicitous eyes; all, all conjure us to act wisely, and faithfully, in the relation which we sustain. We can never, indeed, pay the debt which is upon us; but by virtue, by morality, by religion, by the cultivation of every good principle and every good habit, we may hope to enjoy the blessing, through our day, and to leave it unimpaired to our children. Let us feel deeply how much of what we are and of what we possess we owe to this liberty, and to these institutions of government. Nature has, indeed, given us a soil which yields bounteously to the hand of industry, the mighty and fruitful ocean is before us, and the skies over our heads shed health and vigor. But what are lands, and seas, and skies, to civilized man, without society, without knowledge, without morals, without religious culture; and how can these be enjoyed, in all their extent and all their excellence, but under the protection of wise institutions and a free government? Fellow-citizens, there is not one of us, there is not one of us here present, who does not, at this moment, and at every moment, experience, in his own condition, and in the condition of those most near and dear to him, the influence and the benefits of this liberty and these institutions. Let us then acknowledge the blessing, let us feel it deeply and powerfully, let us cherish a strong affection for it, and resolve to maintain and perpetuate it. The blood of our fathers, let it not have been shed in vain; the great hope of posterity, let it not be blasted.

The striking attitude, too, in which we stand to the world

around us, a topic to which, I fear, I advert too often, and dwell on too long, cannot be altogether omitted here. Neither individuals nor nations can perform their part well, until they understand and feel its importance, and comprehend and justly appreciate all the duties belonging to it. It is not to inflate national vanity, nor to swell a light and empty feeling of self-importance, but it is that we may judge justly of our situation, and of our own duties, that I earnestly urge upon you this consideration of our position and our character among the nations of the earth. It cannot be denied, but by those who would dispute against the sun, that with America, and in America, a new era commences in human affairs. This era is distinguished by free representative governments, by entire religious liberty, by improved systems of national intercourse, by a newly awakened and an unconquerable spirit of free inquiry, and by a diffusion of knowledge through the community, such as has been before altogether unknown and unheard of. America, America, our country, fellow-citizens, our own dear and native land, is inseparably connected, fast bound up, in fortune and by fate, with these great interests. If they fall, we fall with them; if they stand, it will be because we have maintained them. Let us contemplate, then, this connection, which binds the prosperity of others to our own; and let us manfully discharge all the duties which it imposes. If we cherish the virtues and the principles of our fathers, Heaven will assist us to carry on the work of human liberty and human happiness. Auspicious omens cheer us. Great examples are before us. Our own firmament now shines brightly upon our path. WASHINGTON is in the clear, upper sky. These other stars have now joined the American constellation; they circle round their centre, and the heavens beam with new light. Beneath this illumination let us walk the course of life, and at its close devoutly commend our beloved country, the common parent of us all, to the Divine Benignity.

Note

Page 312.

THE question has often been asked, whether the anonymous speech against the Declaration of Independence, and the speech in support of it ascribed to John Adams in the preceding Discourse, are a portion of the debates which actually took place in 1776 in the Continental Congress. Not only has this inquiry been propounded in the public papers, but several letters on the subject have been addressed to Mr. Webster and his friends. For this reason, it may be proper to state, that those speeches were composed by Mr. Webster, after the manner of the ancient historians, as embodying in an impressive form the arguments relied upon by the friends and opponents of the measure, respectively. They of course represent the speeches that were actually made on both sides, but no report of the debates of this period has been preserved, and the orator on the present occasion had no aid in framing these addresses, but what was furnished by general tradition and the known line of argument pursued by the speakers and writers of that day for and against the measure of Independence. The first sentence of the speech ascribed to Mr. Adams was of course suggested by the parting scene with Jonathan Sewall, as described by Mr. Adams himself, in the Preface to the Letters of Novanglus and Massachusettensis.

So much interest has been taken in this subject, that it has been thought proper, by way of settling the question in the most authentic manner, to give publicity to the following answer, written by Mr. Webster to one of the letters of inquiry above alluded to.

"*Washington*, 22 *January*, 1846.

"DEAR SIR: —

"I have the honor to acknowledge the receipt of your letter of the 18th instant. Its contents hardly surprise me, as I have received very many similar communications.

"Your inquiry is easily answered. The Congress of the Revolution sat with closed doors. Its proceedings were made known to the public,

from time to time, by printing its journal; but the debates were not published. So far as I know, there is not existing, in print or manuscript, the speech, or any part or fragment of the speech, delivered by Mr. Adams on the question of the Declaration of Independence. We only know from the testimony of his auditors, that he spoke with remarkable ability and characteristic earnestness.

"The day after the Declaration was made, Mr. Adams, in writing to a friend,* declared the event to be one that 'ought to be commemorated, as the day of deliverance, by solemn acts of devotion to God Almighty. It ought to be solemnized with pomp and parade, with shows, games, sports, guns, bells, bonfires, and illuminations, from one end of this continent to the other, from this time forward, for evermore.'

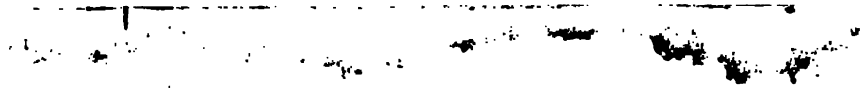
"And on the day of his death, hearing the noise of bells and cannon, he asked the occasion. On being reminded that it was 'Independent day,' he replied, 'Independence for ever!' These expressions were introduced into the speech *supposed* to have been made by him. For the rest, I must be answerable. The speech was written by me, in my house in Boston, the day before the delivery of the Discourse in Faneuil Hall; a poor substitute, I am sure it would appear to be, if we could now see the speech actually made by Mr. Adams on that transcendently important occasion.

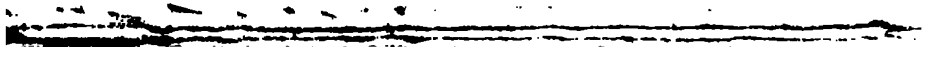
"I am, respectfully,

"Your obedient servant,

"DANIEL WEBSTER."

* See Letters of John Adams to his Wife, Vol. I. p. 128, note.





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